

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10598 of 2017

Arising Out of PS.Case No. -290 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Shafi Ahmad @ Achche, S/o Md. Hashim
 2. Habiba Khatoon @ Gaurki, Wife of Md. Hashim
 3. Md. Hashim, S/o Maqsood,
Resident of Mohalla – Faizullah, P.S.-Laheria Sarai, District-
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 25-04-2017 Heard both sides.

The petitioners apprehend their arrest in Laheria Sarai P. S. Case No. 290 of 2015 registered for the offences under Sections 379, 354(B) and other sections of the Indian Penal Code.

The informant alleged that the petitioners broke down the boundary wall and when the informant objected, the accused persons assaulted her and took away different articles from her house.

Learned counsel for the petitioners submits that the petitioners are the next door neighbour of the informant and they filed a complaint before Darbhanga Municipal Corporation and the Corporation issued a notice to the informant for illegal



construction of sewage in violation of the by-laws of Bihar Municipal Act, 2007 and the informant was asked why the illegal construction was not demolished. It is submitted that this false case has been lodged merely because the informant got suspicion that at the instance of the petitioners, notice was issued. No injury was caused to the informant and others. The demand of extortion is ornamental as the petitioner happens to be the next door neighbour of the informant.

Considering the facts aforesaid and the fact that the petitioners are the next door neighbour of the informant, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Additional Chief Judicial Magistrate-III, Darbhanga in Laheriasarai P. S. Case No. 290 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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