

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47103 of 2017

Arising Out of PS.Case No. -75 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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1. Suerndra Kumar Sonu @ Surendra Kumar @ Sonu, Son of Late Etwari Yadav @ Etwari Prasad Yadav, Resident of Douthat, P.S.- Habibpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Archana Devi, W/o Sri Pappu Sharma, resident of Chadaun P.S.- Mufassil, Munger, District- Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 09-11-2017 Heard both sides.

The petitioner apprehends his arrest in Habibpur P.S. Case No.75 of 2016 under Sections 406, 420, 467, 468, 120(B), 341, 386, 327, 504, 34 of Indian Penal Code.

The informant alleged that Mukesh Kumar Singh, Prahalad Rai, Sunil Shekhar and Pankaj Kumar Choudhary came to her house and after receiving Rs.1,50,000/-, Mukesh Kumar Singh entered into an agreement to sell a piece of land. Prahlad Kumar Rai put his signature as the witness of the deed. In pursuance of the deed of agreement to sale, Sunil Shekhar executed the sale deed with regard to a piece of land of Khesra



No.81, Khata No.42, area 1260 sq. ft. but when the informant went to construct boundary wall around her land, the petitioner appeared and demanded extortion. The informant gave Rs.50,000/- in the year 2011 itself. It is further alleged that petitioner again demanded extortion when the informant started constructing her house.

The learned counsel for the petitioner submits that the allegation of demand of extortion is palpably false. One Sunil Shekhar on the basis of power of attorney executed sale deed with regard to such land which does not figured in the power of attorney deed. The land of the petitioner is adjacent to the land of Uttam Devi and on the basis of such sale deed which does not include the land of the petitioner, the informant wanted to grab the land of the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his 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 is 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 learned A.C.J.M. XII, Bhagalpur in connection with Habibpur P.S. Case



No.75 of 2016, subject to conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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