

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15141 of 2018

Arising Out of PS.Case No. -208 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA

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1. Md. Muntasir @ Malo, son of Late Sk Bashiruddin
2. Md. Zahid @ Md. Zahid Asgar, son of Late Md. Mahmood Alam
3. Md. Najmul, son of Late Sk Suleman
4. Md. Mushtakim, son of Abdul Latif. 1 and 4 resident of Village- Bania Patti Ramawtar Chowk and Petitioner no. 2 and 3 resident of Village- Sabutar, All are of P.S. K.Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Nadimul Hasan and Prerana Pandey, Advs.

For the Opposite Party/s : Sri Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend arrest in connection with K.Nagar Police Station Case No. 208 of 2017 registered for the offences punishable under sections 147, 148, 341, 384, 384, 447 and 506 of the Indian Penal Code.

Allegation as per written report is that the informant purchased 05 acres of land from different persons and after getting his name mutated, went over the said and erecting boundary wall whereupon the accused persons named in the FIR armed with deadly weapons started creating trouble in the construction work and demanded a sum of Rs.50,00,000/- (fifty lacs) as ransom for



making construction.

The learned counsel for the petitioners submits that the petitioners are raiyats having their house over the said land since the time of their ancestor. The informant purchased the said land from a fictitious person and wants to construct the school building for a society. The informant in order to harass the petitioners, has lodged this case with false and fabricated allegation. The brother of petitioner no. 1 had filed a partition suit bearing no. 109 of 2015 against the co-sharer for partition of 2 A. 22 dec. of land, which is being claimed by the informant. The said suit was filed much before the institution of the present case. In the said occurrence, none of the persons sustained any injury and demanded ransom is omnibus.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer of anticipatory bail is allowed and the petitioners above named, in the event of arrest or surrender before the court below within a period of six weeks, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Nagar Police



Station Case No. 208 of 2017, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioners will not induce any witness or tamper with the evidence. (3) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

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