

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29006 of 2018

Arising Out of PS.Case No. -334 Year- 2015 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Ravi Kumar @ Pinu S/o Late Krishna Prasad, R/o Vill.- Lal Bazar, Power
House Town, P.S.- Bettiah, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Jha, Advocate
Mr. Shankar Kumar Choudhary, Advocate
Mr. Krishna Chandra Jha, Advocate
For the Opposite Party/s : Mr. J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 20-06-2018

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has renewed the prayer for
anticipatory bail in a case registered for the offences punishable
under Sections 387, 447, 504 and 506 of the Indian Penal Code.

It is submitted by learned counsel for the
petitioner that earlier the petitioner had preferred Cr. Misc. No.
37003 of 2015 with a prayer for anticipatory bail but the same
was permitted to be withdrawn vide order dated 15.09.2015, as
contained in Annexure-1, since during investigation Zonal I.G.
stayed the arrest of the petitioner. Statement to that effect has



been made in paragraph 16 of the petition. But since, now the non-bailable warrant of arrest has been issued on 30.11.2017 hence, the present anticipatory bail application.

The prosecution case as per the written report of Sarita Kumari submitted to the Station House Officer, Kaibagh O.P. is to the effect that the informant purchased part of the land of Bettiah Chhawani, Jhiliya in 2002 but could not get the boundary wall constructed, but subsequently the informant started running Gopal Singh Nepali Foundation office and for which when the foundation was to be made then some accused persons gave life threat to the informant. The accused persons are 25 to 30 in number, who demanded extortion of Rs.15,00,000/-. Subsequently, the informant came to know that the petitioner is behind the incident.

It is submitted by learned counsel for the petitioner that in the background of land disputes the accusation has been levelled and even assuming the accusation, non-bailable offence under Section 387 I.P.C. is not made out while at best an offence under Section 385 I.P.C. is being made out which is a bailable offence. Moreover, similarly situated accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 09.05.2018 passed in Cr.



Misc. No. 28444 of 2018. Though, the petitioner is accused in three other cases but in one of the cases final form has been submitted and in two other cases he is on bail.

Considering the nature of accusation and the fact that the similarly situated co-accused persons have been granted anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Town (Kali Bagh) P.S. Case No. 334 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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