

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59042 of 2018

Arising Out of P.S. Case No. -61 Year- 2018 Thana -CHHATAPUR District- SUPAUL

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MD. ALMIN @ MD. ALVIN son of late Ekramul, resident of Village
Kathara Ward No.12, P.S. Chhatapur, District supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Yadav

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 10-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in Chhatapur P.S.
Case No.61 of 2018 instituted for the offences under Sections
147, 148, 149, 341, 323, 379, 384, 354B, 504 and 506 of the
Indian Penal Code.

As per allegation, while informant was making
construction of a road, Md. Almin alongwith five others
variously armed came there and threatened to pay extortion
money of Rs. 1,00,000/- only then he will be allowed to carry
out the work, whereupon the informant refused to pay the
money whereupon the petitioner ordered to kill him and started
dragging him by putting a Gamchha around neck and started
strangulating, when his wife came to rescue him, the petitioner
took away her nearby field and tried to outrage her modesty.
On alarm the labourers came there, only then life of the



informant and modesty of his wife remained intact.

Learned counsel for the petitioner submits that the petitioner is a candidate of Panchayat Secretary and one Ramesh Yadav had demanded the money of Rs. 25,000/-. When money was not given to him, the present case has been lodged through Mohd. Jahangir. He has further submitted that the petitioner has wrongly been framed in the present case and the petitioner has lodged an another FIR (Annexure-2) against Ramesh Yadav giving the details in what manner he was cheated by him.

There is direct allegation against the petitioner who has demanded the money, threatened for death and tried to outrage the modesty of wife of the informant.

In such view of the matter, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner surrenders before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

Vinay/Sunny

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