

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69707 of 2018

Arising Out of PS. Case No.-213 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Mahesh Prasad, Son of Late Harihar Sah, Resident of Village- Jadopur,
Police Station- Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ravindra Kumar Singh, Son of Late Nag Narayan Singh, Resident of
Village- Devapur, P.S.- Barauli, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Sri Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-12-2018 Heard learned counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be taken for the offences punishable under Sections 323, 327 and 387 of the Indian Penal Code.

The prosecution case as per the complaint petition is that the full brother of the complainant, Govind Kumar Singh transferred the complainant's share of the land in favour of the petitioner and on protest being made, extortion of Rs. 5 lacs was



demanded and the full brother of the complainant was also assaulted with fists and slaps by the petitioner.

It is submitted by learned counsel for the petitioner that in the background of partition dispute and pending Title Suit No. 150 of 2018, the accusation has been levelled. The petitioner is a bona fide purchaser of the land. Thrust of accusation is against the brother of the complainant and for the occurrence of 07.12.2017 to 18.01.2018, the complaint was filed on 05.02.2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the accusation being levelled in the background of land dispute and delayed filing of the complaint, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gopalganj in connection with Complaint



Case No. 213 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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