

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10977 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- PHULWARISHARIF District- Patna

SHAHNAWAZ @ SAINU @ SANU @ SAHNU, S/o Late Baghdad Mian @
Baghdadi Alam @ Safi Ahmad Resident of Chauraha Masjid Gali Saidna,
P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
05.09.2018 in a case registered for the offences punishable
under Sections 385, 386, 387, 427, 120B/34 of the Indian Penal
Code.

The prosecution case got initiated on the basis of
written report dated 27.03.2018 submitted by Pravez Ahmad to
the Station House Officer, Phulwarisharif Police Station is to
the effect that from the different places since last 4-5 months
the extortion demand of Rupees Twenty Lac and transfer of one
Katha land and in case of non-fulfillment of the said demand,
the informant was threatened to face dire consequences. It is



further alleged that on 26.03.2018, the boundary wall of a certain land belongs to the informant's friend was being demolished.

It is submitted by learned counsel for the petitioner that the omnibus and general nature of accusation has been levelled against the eight accused persons, including the petitioner and even assuming the accusation to be true, the case at best under Section 385 of the IPC is made out which is bailable. It is further submitted that though the petitioner is accused in five other case, apart from the present case, but in all those cases, he is on bail and the investigation has already been concluded.

Learned APP for the State submits that the petitioner is named in the FIR along with other accused persons.

Considering the nature of accusation and the period under custody, let the above named petitioner be released 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 ACJM-XV, Patna, in connection with Phulwarisharif P.S. Case No.221 of 2018.

Since the petitioner has serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of



the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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