

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21678 of 2019

Arising Out of PS. Case No.-362 Year-2018 Thana- BALIYA District- Begusarai

Syd Shahin Infaqe Ahmad @ Md. Sonu @ Md. Sonu Ahmad @ Syed Sonu Ahmad @ Syd Shahin Infaqe Ahmad, Son of Syed Ishteyaque Ahmad @ Dr. S.I. Ahmad, Resident of Village-Chhoti Ballia, Apar Tola, Ward No. 8, P.O.- Lakhminiya, P.S.-Ballia, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 384, 504, 506 and 379/34 of the IPC.

The prosecution case, as per the written report of Arvind Rastogi, dated 27.12.2018, submitted to the Station House Officer, Ballia Police Station, is to the effect that on the same day at about 4 P.M., all the four FIR named accused persons including the petitioner and five unknown persons surrounded the informant when it is alleged that the petitioner pointed the pistol on the temporal region of the informant and all the accused persons started abusing him and asked the informant to



give money, whereupon the informant gave Rs. 4,200/- to the petitioner and the petitioner also snatched a gold chain, worth Rs. 45,000/- from the neck of the informant. It is further alleged that earlier also, the accused persons demanded extortion and on the same day about about 2 P.M., one Ajay Hindu made assault and gave life threat to the informant. It further alleged that the petitioner made obscene posts on the social media, i.e., Facebook.

It is submitted by learned counsel for the petitioner that in the background of religious fragmentation in the area, the petitioner, at earlier point of time, lodged Ballia P.S. Case No. 361 of 2018, on 27.11.2018 at about 5.10 P.M., against seven accused persons including Ajay Mahto, whose name has been mentioned in the present FIR as Ajay Hindu and thereafter on the same day at about 9.10 P.M., the present FIR has been lodged with frivolous accusation. It is further submitted that no recovery has been made from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the case lodged by the petitioner's side at



earlier point of time, coupled with the 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/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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 362 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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