

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57577 of 2019**

Arising Out of PS. Case No.-326 Year-2019 Thana- KHAGARIA District- Khagaria

MD. MAJHAR Son of Md. Sajjad @ Md. Sajjad Ali Resident of Village-
Islampur, Police Station-Muffasil, District-Khagaria..... Petitioner/s
Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khagaria Muffasil P.S. Case No. 326 of 2019, disclosing the offence under Sections 147, 148, 149, 341, 323, 307, 384, 386, 427, 379, 120B of the Indian Penal Code and 27 of the Arms Act.

There are sixteen persons named and allegedly the named accused persons and 20-30 others persons used to demand extortion from the manager of the informant's son who is engaged in a poultry business. On the alleged date of occurrence they are said to have ransacked the office of the informant's son, assaulted the manager and took away cash and other valuables. They are said to have opened fire also.

Learned counsel appearing on behalf of the petitioner has submitted that from the same occurrence another FIR has been registered giving rise to Khagaria P.S. Case No. 331 of



2019 by the then Circle Officer, Khagaria. He has submitted that it is mainly because of business rivalry that a false criminal case has been lodged. It has also been argued that apart from the Khagaria P.S. Case No. 331 of 2019 no other criminal case is pending against this petitioner.

Considering the above, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand), with two sureties of the like amount, each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria Muffasil P.S Case No. 326 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bounds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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