

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66403 of 2019

Arising Out of PS. Case No.-276 Year-2019 Thana- KHAJEKALA District- Patna

MD. KHALID Son of Late Md. Sahabuddin Resident of Danka Kuncha Gali,
Police Station-Khajekala Patna City, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 18-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 323, 341, 342, 384, 385, 406, 448, & 504/34 of the Indian Penal Code.

Petitioner, who happens to be nephew of the informant, is adamant to devour his property. Petitioner, his son and wife kept the informant captive for three days and assaulted him breaking open the lock of his four shops got other accused persons named in the F.I.R. intruded into it and also extended threatening of dire consequences and demanded extortion of Rs.5 lacs in lieu of release of the shop.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner happens to be agnate of the informant. There is property dispute



between the parties and due to the aforesaid dispute the informant has lodged this false and frivolous case against him to mount pressure to leave the claim over the property. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that though six more criminal cases have been lodged against the petitioner but four out of them have been lodged by the Sakila Bano at the instance of the informant and petitioner is on bail in the aforesaid cases.

On the other hand, learned APP for the State opposing the prayer for bail submitted that the petitioner is having criminal antecedents, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Prakash Chandra Jaiswal, J.)

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