

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80136 of 2019

Arising Out of PS. Case No.-505 Year-2019 Thana- SIWAN CITY District- Siwan

1. JALALUDDIN KHAN Son of Aminuddin Khan Resident of Village - Naya Quila Siwan, P.S.- Siwan Town, Distt.- Siwan.
2. Munna Ahmad @ Sabir Ali Son of Nesar Ahmad @ Nazir Ahmad Resident of Village - Naya Quila Siwan, P.S.- Siwan Town, Distt.- Siwan.
3. Jawed Ahmad @ Jawed Alam Son of Late Md. Kashim Resident of Village - Naya Quila Siwan, P.S.- Siwan Town, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Siwan Town P.S. Case no. 505 of 2019, registered under Sections 341, 323, 387, 504 and 506/34 of the Indian Penal Code.

The accusation is that informant Sabana Khatoon used to reside in her house for the last 50 years, but before some days, Jalauddin Khan (Petitioner No.1) and some unknown used to give threatening to her and her husband Ehsan Ahmad to vacate the house then she made protest, but



she was being threatened. On 19.08.2019, Jalaluddin Khan (Petitioner No.1) along with 4-5 unknown miscreants came and asked her to vacate the house otherwise, household articles will be removed. When informant made protest then they were adamant to cause assault and moved from there giving threatening for dire consequences. Thereafter, on 24.08.2019, the petitioners, again, came to the informant and asked to vacate the house otherwise give Rs.Five Lakhs as ransom, when informant made protest then Jalauddin Khan (Petitioner No.1) pointed pistol at her head. Thereafter, she started raising alarm, but due to fear, her husband Ehsan Ahmad handed over Rs. 50,000/- to petitioner No.1. Thereafter, all moved giving threatening to give remaining cash of Rs. 4,50,000/- within two days or to vacate the house.

Learned counsel for the petitioners submits that Jalauddin Khan (Petitioner No.1) is the agnate of the informant, whereas, petitioner No.2 and 3 are tenant of petitioner No.1. Due to land dispute hot talk exchanged, but only to give undue pressure, the present case has been lodged. Moreover, regarding the same occurrence, Siwan Town P.S. Case No. 506 of 2019 was instituted on the basis of fardbeyan of Kamar Sultan, sister of the petitioner No.1. Further submission is that



petitioner No.1 and 3 had no criminal antecedent, whereas, petitioner No.2 is accused in Siwan Town P.S. Case No. 286 of 2018 registered under Sections 341, 323, 448, 504 and 506/34 of the Indian Penal Code, but he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 505 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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