

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80921 of 2019

Arising Out of PS. Case No.-215 Year-2016 Thana- BAHADURPUR District- Darbhanga

MD. ARIF @ MD. ASIF Son of Naaz Ahmad Resident of Village-Ekmighat,
P.S.-Bahadurpur, District-Darbhangha.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-12-2019

This application, for grant of anticipatory bail, arises out of Bahadurpur P.S. Case No. 215 of 2016, disclosing offences under Sections 406, 384, 386, 504 and 506 of the Indian Penal Code.

Prosecution case is that while the informant was going on his tractor, accused persons along with 10-15 persons intercepted him and demanded rangdari of Rs. One Lakh and when the informant shown his inability to pay that amount, they took away the tractor of the petitioner. It is also alleged that earlier the informant had paid Rs. Twenty Four lakh to the accused persons in connection with purchase of some land from accused persons but neither the sale deed was executed nor the money was returned. It further appears that the case is of the year 2017 and petitioner is named in the F.I.R.

Submission of learned counsel for the petitioner is that except the petitioner is named in the F.I.R., there is absolutely nothing against him and now mater has also been compromised and



other accused persons have already been enlarged on bail.

Learned counsel for the State opposed the prayer for bail and submitted that the case is of the year 2017 and petitioner is named in the F.I.R. but in spite of that he has not surrendered earlier and has come for grant anticipatory bail after two years.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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