

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4455 of 2020

Arising Out of PS. Case No.-1284 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. MD. AHMAD RAZA @ AHMAD RAZA, Son of Late Samsul Raza, Resident of Village - Nardiganj, P.S.- Nardiganj, Distt.- Nawada, Presently residing at Ramjan Colony, Kanta Toli, P.s.- Ranchi, Distt.- Ranchi (Jharkhand.)
 2. Hamid Raza, Son of Late Samsul Raza, Resident of Village - Nardiganj, P.S.- Nardiganj, Distt.- Nawada, Presently residing at Mantu Chowk Mallaha Toli, P.s.- Ranchi, Distt.- Ranchi (Jharkhand.)
 3. Jamid Raza, Son of late Samsul Raza, Resident of Village - Nardiganj, P.S.- Nardiganj, Distt.- Nawada, Presently residing at Law factory Road in front of Akbariya Masjid, Ranchi P.s.- Ranchi, Distt.- Ranchi (Jharkhand.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Riyaz Son of Md. Kalim Resident of Village - Nardiganj, P.S.- Nardiganj, Distt.- Nawada,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

For the Informant : Mr. Birendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-02-2020 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 420, 323, 504 and



385 of the Indian Penal Code.

The prosecution case as per the complaint petition is that the complainant and witness no.1, Md. Mumtaz purchased a house constructed over 4 decimals of land from the petitioners, appertaining to Khata No.301, Plot No.68 through a sale deed. In the said hosue, one Ezaz Aalam was residing from before who was not vacating the same and demanded Rupees three Lac as extortion for vacating the said house.

It is submitted by learned counsel for the petitioners that even assuming the accusation to be true, no case under Section 420 of the I.P.C. is made out against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR and co-accused, Ezaz Alam is not vacating the house at the behest of the petitioners.

Considering the accusation arising out of civil nature of dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned Judicial Magistrate, 1st Class, Nawada, in connection
with Complaint Case No. 1284 of 2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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