

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21342 of 2020

Arising Out of PS. Case No.-301 Year-2018 Thana- KESARIA District- East Champaran

MD. ANWAR ALI Son of Md. Habib Resident of Ward No.- 7, P.S. -
Kesariya, District - East Champaran, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Irfan Alam Son of Md. Sulaiman Resident of Ahibaran Chapra, P.S. -
Kesariya, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj

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

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

ORAL ORDER

4 18-09-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint case No. 2076 of 2018 arising out of Kesariya P.S. Case No. 301 of 2018, disclosing offences under Sections 420, 467, 384, 468 and 471 of the Indian Penal Code.

It is alleged in the complaint petition which is the basis for registration of the First Information Report that he had purchased a piece of land in 2008. Admittedly the petitioner and his father were unloading bricks over the land and when objected to, they demanded extortion money to the tune of Rs. 10,00,000/- for removing the bricks. It is also alleged that the petitioner had purchased 12 dhurs out of the said land through



her old registered sale deed so as to grab the said land fraudulently.

Learned counsel appearing on behalf of the petitioner has submitted that final report has already been submitted by the police holding the dispute to be purely of civil nature. On a protest petition, however, the Court below has taken cognizance and, therefore, the petitioner apprehends his arrest.

Considering the nature of dispute between the parties and the fact that on completion of investigation the police have submitted final report, 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 bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Sadar, Motihari in Complaint Case No. 2076 of 2018 (Trial No. 2129 of 2018) arising out of Kesariya P.S. Case No. 301 of 2018.

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



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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