

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86129 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Suresh Sahni, aged about 45 years, male, son of Late Ramchandra Sahni,
Resident of Village - Aura Malikana, Police Station- Tariyani, District -
Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Abhay Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 25-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Tariyani Chhapra P.S. Case No. 25 of 2019, registered for
the offence punishable under Sections 384, 387/34 of the Indian
Penal Code, 1860.

The allegation against the petitioner as per the First
Information Report lodged by the partner of Anand Enterprises
stating therein that the firm of the informant was constructing a
road between Vanshi Pathra to Mahindwara, RWD division-
Sheohar under NABARD scheme. It has further been alleged
that the Munshi (Clerk) of the informant informed the informant
that on the date of occurrence i.e. 9.6.2019 five persons arrived



on two motorcycles near the work site and demanded 20% levy from the contractor and threatened the Munishi (Clerk) if the levy of 20% was not paid by the contractor, they would kill the labours and other staffs working on the site. The name of the petitioner has been disclosed by the Munshi (Clerk) of the informant.

Mr. Sunil Prasad Singh, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case with oblique motive. Learned counsel further submits that there is no specific allegation that the petitioner demanded any levy or extortion amount from the informant and it has been alleged that Munshi (Clerk) has informed the informant regarding the demand of extortion by the petitioner and other accused persons. Learned counsel further submits that the parentage of one of the co-accused has been disclosed by the Munshi (Clerk) of the informant, but the parentage of the petitioner has not been disclosed. Accordingly, submission is that the petitioner has been dragged by the Munshi (Clerk) of the informant with oblique motive in this case. Learned counsel further submits that there is no criminal antecedent against the petitioner of any serious offence and only a case under Section 498A of the I.P.C. & Section 3/4 of the D.P. Act is pending



against the petitioner lodged by the sister- in- law.

Having heard learned counsel for the parties and taking into consideration the fact that no direct allegation of demand of extortion has been levelled against the petitioner from the informant and petitioner has no criminal antecedent of serious offence, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sadar, Sheohar in connection with Tariyani Chhapra P.S. Case No. 25 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

(Anil Kumar Sinha, J)

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