

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29326 of 2021**

Arising Out of PS. Case No.-29 Year-2020 Thana- NOWKOTHI GARHPURA District-  
Begusarai

=====

Bikash Kumar Son Of Bharat Mahto Resident Of Village- Ward No. 01,  
Naulakha, P.S. Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pritish Kumar Lal  
For the Opposite Party/s : Mr. A.G.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      09-02-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Learned counsel for the petitioner is expected  
  
to honour his undertaking given in the instant case for  
  
depositing the requisite court fee and to remove the  
  
defects as pointed out by the office when called upon to  
  
do so by the office.

The petitioner is apprehending his arrest in a  
  
case registered for the offences punishable under  
  
Sections 447, 342, 323, 354, 385, 504, 506, 34 of the  
  
Indian Penal Code.



The prosecution case as per F.I.R is that all the accused persons including the petitioner came at the door of the informant arms and started abusing her father and when the informant forbade them, they caught hold her and forcibly tried to took her with them. On raising alarm, the villagers came and saved the informant from the accused persons. It is alleged that petitioner and others were demanding Rs. 10 lakhs as extortion amount to the father of the informant and for non-fulfillment of the extortion demand, they forcibly tried to kidnap the informant.

It is submitted by learned counsel for the petitioner that petitioner has some land dispute with one Moni Singh for which Naokothi P.S. Case No. 61 of 2015 has been filed under Section 307 and other provisions of the Indian Penal Code and Section 27 of the Arms Act. The said Moni Singh instigated the informant's side to lodge a false case against the petitioner. There is no specific accusation of outraging the modesty of



informant against the petitioner, hence the provisions under Section 354 I.P.C shall not be attracted. Moreover, for the alleged occurrence of 21.02.2020, the F.I.R has been registered on 23.02.2020. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforestated facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Begusarai in connection with Naokothi P.S. Case No. 29 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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