

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57329 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- ALOULI District- Khagaria

MD. RABBAN S/o MD. GHAFOR R/o VILLAGE-SAHSITOLA
DIHULIYA, P.S-ALAUJI SAHSI, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 385, 387, 307, 504 and 506 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

The informant alleges that he is a businessman and has a shop at Sahsi round about and, on 27.03.2020, in the evening, the informant was going to Haripur market to purchase some household articles and on the way he was talking to his staff Manish Singh, who is the watchman of his godown, in the meantime, the accused persons including the petitioner and Rahul Yadav came and Pankaj Yadav demanded extortion of



Rs.5,00,000/- which was objected by the informant. It is alleged that petitioner abused and ordered to kill the informant and thereafter the petitioner fired on the informant but missed him. It is alleged that Pankaj Yadav fired hitting Manish Singh on his neck as a result of which he fell down. It is alleged that people started gathering when the accused fled away from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. It is submitted that petitioner has his land adjacent to the shop of the informant which the informant wanted to purchase but the petitioner sold the said land in favour of Pankaj Yadav on account of which the dispute took place. It is further submitted that it was Pankaj Yadav who fired hitting Manish Singh on his neck. It is also submitted that petitioner has been falsely implicated very wisely alleging that he fired but missed. Learned counsel next submits that if the petitioner and the accused persons would have demanded extortion then definitely they would not have gone to the informant asking to pay as informant was knowing them from before. It is, thus, submitted that no accused would create evidence against themselves.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent and the nature of allegation as alleged, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Alauli P.S. Case No. 111 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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