

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47717 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- NIMACHANDPURA District- Begusarai

1. SHIV NANDAN PASWAN Son of Tanik Paswan Resident of village - Damdama, P.S.- Neemachandpura, District - Begusarai.
2. Ramprit Paswan Son of Shiv Nandan Paswan Resident of village - Damdama, P.S.- Neemachandpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 384, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1 is a senior citizen aged 65 years and all of a sudden he has been made a criminal in view of the allegations as alleged in the FIR and petitioner no.2 is the son of petitioner no.1, it is next submitted that the informant alleges that 9 to 10 unknown persons along with petitioners came variously armed and abused



the informant, it is next alleged that Shiv Nandan Paswan pointed rifle at the informant and Ramprit Paswan assaulted him with butt of pistol on his back and leg and demanded Rs. 10 lakh as extortion from his owner otherwise he will have to face dire consequences.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case, it is next submitted that the Circle Officer, Begusari had settled land pertaining to Khata No. 382, Khesra No. 1282, Thana No. 335 under Mauza Kaith measuring one acre in favour of the petitioner no.1 vide Settlement Case No. 01 of 1983-84 and Parcha was also granted vide Parcha No. 9 dated 20.05.1983, it is next submitted that the informant master of the informant for whom the informant work is trying to dispossess the petitioners from the said land as it has been stated in Para 8-10. It is also submitted that the allegation also does not inspire confidence as it does not stand to reason that a person against whom no criminal case came to be instituted till the age of 65 and 43 years, all of a sudden started demanding extortion.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Neemachandpura P.S. Case No. 59 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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