

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5395 of 2023

Arising Out of PS. Case No.-417 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Sanoj Chaudhary S/o Rajo Chaudhary R/o Village- Shahpur Tola Tirasi, Ward no. 03, P.S.- Muffasil (Lakho O.P.), Distt- Begusarai.
 2. Santosh Chaudhary S/o Ram Balak Chaudhary R/o Village- Shahpur Tola Tirasi, Ward no. 03, P.S.- Muffasil (Lakho O.P.), Distt- Begusarai.
 3. Dablu Chaudhary S/o Ram Balak Chaudhary R/o Village- Shahpur Tola Tirasi, Ward no. 03, P.S.- Muffasil (Lakho O.P.), Distt- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Muffasil (Lakho O.P.) P.S. Case No. 417 of 2022 registered for the offences punishable under Sections 341, 323, 427, 387, 379, 504, 506/34 of the Indian Penal Code. They have got no criminal antecedent.

As per the prosecution story, the petitioners along with others armed with weapons were uprooting the plants in the field of the informant. On objection, they caught the informant and co-accused Sunil Chaudhary demanded Rs.50,000/- as Rangdari on the point of pistol. Ram Balak



Chaudhary dragged the informant by wrapping gamchha around his neck and all the accused persons threatened the informant to kill in case of non-fulfillment of rangdari. It is further alleged that Kamdeo Chaudhary snatched Rs.2,000/- from the pocket of the informant.

Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case because of a land dispute. It is submitted that the allegations are general and omnibus.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, there being a case of land dispute, the general and omnibus kind of allegations against these petitioners, delay of two days in lodging of the FIR and there being no injury, this Court directs release of the petitioners above named on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Muffasil (Lakho O.P.) P.S. Case No. 417 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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