

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8636 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

GAJENDRA SHAH Son of Late Mallu Shah R/o Village - Methwaliya, P.S.-
Chapra Mufassil, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 1.Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2.The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 385, 387,420, 34 of
the Indian Penal Code.

3.Allegedly, petitioner and accused persons purchased
one Bigha two Dhurs land at Village Methwaliya on
29.12.1987 and they got mutated the same in their name and
got rent receipt. From the date of purchase, they have been in
peaceful possession over the said land. On 27.05.2022, the
accused persons came at the above land and tried to take
possession thereon forcefully. On protest, the accused persons
threatened the informant to kill him. They pressurized the
informant to sell the said lands to them in low price or to give



extortion money at the rate of one lac per plot.

4.It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that a civil dispute bearing Title Suit No. 822/2018 with regard to subject matter of the land, as mentioned in the FIR has been filed by the petitioner along with his brother against the vendors of the informant and that is why the informant has filed this false case against them. Petitioner has five criminal antecedents as mentioned in para-3 of this application.

5.Learned APP for the State opposed the prayer for bail.

6.Having regard to the facts and circumstances of the case, as there is civil land dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Chapra Muffasil P.S. Case No. 390 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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