

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46525 of 2023

Arising Out of PS. Case No.-407 Year-2023 Thana- MADHEPURA District- Madhepura

Praveen Kumar Snehi @ Baua Singh Son of Suresh Prasad Singh @ Suresh Prasad Singh Snehi Resident of Village -SUKHASAN, Ward No 09, Ps And Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-08-2023

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Madhepura P.S. Case No. 407/2023 registered for the offences punishable under Sections 504, 506 and 386 of the Indian Penal Code 1860.

3. As per prosecution case, a call of petitioner came on informant's mobile through mobile no.9304593213, who started using abusive words and threatened to kill the informant by describing the earning money of informant and his son. It is further alleged that the informant received several times call by the petitioner and co-accused Md. Zamal who is said to right-hand of the petitioner came at the home of the informant and made pressure on him to provide a cash of Rs.1,00,000/- to petitioner by showing pistol. It is further alleged that prior to alleged occurrence



the petitioner had demanded ransom of Rs.1,00,000/- from the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to previous enmity. Petitioner is present Mukhiya of Gram Panchayat Sukhasan, whereas the informant happens to be the co-villager of the petitioner and on account of Panchayat election, the informant has lodged the false and concocted case because the informant was the supporter of the rival candidate of the petitioner and the informant alongwith their family members have caste the vote in favour of rival candidate, but when the petitioner succeeded during the said Panchayat election thereafter, the informant is trying to work as a PT contract in the MANREGA Scheme and the informant demanded illegal money of Rs.3 lakh and when the petitioner refused to oblige the informant as a result of which the present case has been lodged by the informant. Occurrence took place on 18.04.2023 and FIR lodged on 26.04.2023 there is an inordinate delay of eight days in lodging the FIR without giving any sufficient explanation. Petitioner bears no criminal antecedent. He further submits that there is case and counter case between the parties. The petitioner has earlier lodged a case against the informant alongwith his son and the present case is nothing but the



counter blast of earlier case filed by the petitioner. In the light of aforesaid submission, no case is made out as alleged in the FIR against the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 407/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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