

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47573 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- CHHATAPUR District- Supaul

Seikh Amin @ Mohammad Amin S/O Seikh Mulha R/O Village- Kathara,
P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-03-2023 Heard Mr. Arun, learned counsel appearing on
behalf of the petitioner and Mr. Damodar Prasad Tiwary, learned
APP appearing on behalf of State.

2. The petitioner apprehends his arrest in connection
with Chhatapur P.S. Case No. 06 of 2022 registered under
Section 302 of the Indian Penal Code read with Section 341,
342, 323, 379, 386, 506/34 of the Indian Penal Code.

3. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is the uncle of the main
accused, namely, Dipak @ Md. Saukat against whom the
allegation of extortion has been made and petitioner has been
alleged to have participated for the same offence in Chhatapur
P.S. Case No. 15 of 2019 registered for the same incident for
alleged offence which has been committed under Section 364/34
of the Indian Penal Code. He further submitted that the



allegation leveled against the petitioner is not specific rather general and omnibus. The intention behind lodging of the F.I.R. is as a result of the fact that the marriage ceremony which was alleged could not solemnize between the informants side. Learned counsel further submitted that petitioner is aged about 55 years and he has already married and there is no question of re-marriage with anyone. On these grounds he seeks to be released on pre-arrest bail.

4. Learned A.P.P. appearing on behalf of the State has vehemently opposed the grant of pre-arrest bail to the petitioner.

5. Considering the rival submission made on behalf of the respective parties and materials on record, it appears that the F.I.R. has been lodged due to vengeance between the petitioner and the informant. It appears to this Court that petitioner has prima facie made out a case to be released on pre-arrest bail.

6. Court below is directed to release the petitioner on pre-arrest bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned J.M.-I, Supaul in connection with Chhatapur P.S. Case No. 06 of 2022, subject to the condition as laid down under Section 438(2)



of the Cr.P.C.

(Purnendu Singh, J)

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