

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58396 of 2023

Arising Out of PS. Case No.-538 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Imtyaz Ahmad @ Imteyaz Ahmad Khan S/O Ali Hussain Khan Resident of
Village- Kolhuwa Janerwa, P.S- Bagaha, District- West Champaran., At
Present Gali No. 2, Near Masjid, Agarwa, P.S- Town, District- East
Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate
Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-09-2023 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 447, 341, 323, 384, 379, 504, 307 & 506 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the accused persons including the petitioner came with arms demanded extortion money, threatened the informant and her husband and snatched away gold kangan and Rs. 15000/-.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and no such occurrence as alleged ever took place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. There is delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioner has no criminal antecedent. Similarly situated co-accused persons, namely, Tuntun Mahto, Ravi Pratap and Nand Kishore Ram @ Nand Kishore Rai have been granted anticipatory bail vide order dated 20.07.2023 by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 31835 of 2023.

5. Having regard to the facts and circumstances of the case and submissions of learned counsel for 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. 10,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending / successor Court in connection with Motihari Town P.S. Case No. 538 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Sunil Dutta Mishra, J)

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