

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60680 of 2023

Arising Out of PS. Case No.-106 Year-2020 Thana- PIPRA District- Supaul

Md. Talib Miyan @ Md. Talib @ Talim Miyan Son Of Late Sakur Miyan
Resident Of Village- Dubiyahi Chhit, Ward No. 19., P.S. -PIPRA, Dist-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Pipra P.S. case No. 106/2020 registered for the offence punishable under Sections 341, 323, 384, 379, 447, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the informant was sowing in his field when it is alleged that the petitioner along with eight other co-accused came variously armed and started abusing and assaulting the informant and his brother with the intention of extorting money from them. It is alleged that the petitioner along with co-accused has taken away four oxen and two ploughs of the informant.



4. The learned counsel for the petitioner submits that the prosecution party and accused persons are co-villagers. Dispute regarding sowing of the field has led to lodging of the instant false case against the petitioner. The petitioner has clean antecedents.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions of the parties, nature of allegation and clean antecedent of the petitioner, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail of the petitioner is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Supaul in connection with Pipra P.S. case No. 106/2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an



affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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