

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70384 of 2022

Arising Out of PS. Case No.-442 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Md. Munshi @ Mir Musai S/O Mir Hadik @ Mir Aadik Resident Of Village-
Senwariya, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Turkauliya P.S. Case No. 442 of 2021 registered for the offences
punishable under Sections 341, 323, 327, 379, 385, 504, 506/34
of the Indian Penal Code .

The prosecution case is based on a written report
by the informant alleging therein that when the informant was
watering his field, in the meanwhile petitioner and other co-
accused came with lathi, assaulted the informant and threatened
to leave the land and demanded rupees 1,50000/-.

It is submitted by the learned counsel for the
petitioner that his is innocent and has falsely been implicated in



this case due to land dispute between the parties. Allegation of commission of assault is general and omnibus. Accusation of demand of extortion is super-addition in order to make the offence grave.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Turkauliya P.S. Case No. 442 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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