

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20454 of 2024

Arising Out of PS. Case No.-40 Year-2020 Thana- UCHKAGAON District- Gopalganj

1. Md. Abdullah @ Abdullah S/o Late Abbas Siddiqui @ Abbas Miyan @ Late Md. Abbas Siddiqui R/o vill - Pankhopali, P.S. - Uchkagaon, Distt. - Gopalganj
2. Mohammad Obaidullah Siddiqui @ Md. Obaidullah Siddiqui @ Md. Raushan @ Raushan Ali S/o Late Abbas Siddiqui @ Abbas Miyan @ Late Md. Abbas Siddiqui R/o vill - Pankhopali, P.S. - Uchkagaon, Distt. - Gopalganj
3. Md. Saidullah @ Guddan Miyan S/o Late Md. Abbas Siddiqui @ Abbas Miyan @ Late Md. Abbas Siddiqui R/o vill - Pankhopali, P.S. - Uchkagaon, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kr. Verma, Advocate
		Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard Mr. Vyas Kumar Mishra, learned counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State

2. The petitioners are apprehending their arrest in connection with Uchkagaon P.S. Case No. 40 of 2020 for the offence under Sections 147, 148, 149, 386, 387, 307, 427, 120B and 34 of the I.P.C. and Section 27 of the Arms Act lodged on 17.02.2020 by the informant, Md. Parwez.

3. As per the prosecution story, the informant alleged



that in the night of 28.01.2020, the accused persons armed variously came along with JCB and demolished the structure of the informant as the local police was in the influence of the accused persons, the complaint was filed.

4. Learned counsel for the petitioners submit that in the land dispute between the parties a proceeding under different Sections of Cr.P.C. was pending before the Court of learned Executive Magistrate, Gopalganj. Further, there was no question of demand of Rs. 5,00,000/- as extortion money.

5. Learned APP, Mr. Jitendra Kumar Singh on the other hand points out that the complaint was filed in the year 2020, four years later they have decided to come before this Court for grant of anticipatory bail. It is his submission that a bare perusal of the photographs attached with the FIR would show that prima facie the allegation made by the complainant in its complaint is true.

6. This Court has also gone through the FIR as also the photographs attached with it, nothing has been incorporated in the petition to show that the structure which the complainant has alleged to have been demolished by the petitioner is not attributed to them. This coupled with the fact that four years later, they have decided to approach this Court, no case of



anticipatory bail is made out.

7. Accordingly, the prayer for anticipatory bail of the
petitioners stands rejected.

(Rajiv Roy, J)

Adnan/-

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