

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29201 of 2024

Arising Out of PS. Case No.-1674 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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RAM PRAVESH RAI S/O LATE BHAGWAT RAI R/O VILLAGE-
KISHANPUR YUSUF, P.S- SARAIRANJAN, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. MANDESH KUMAR S/O LATE BALESHWAR RAI R/O VILLAGE-
BHAUA, P.S- PATORI, DISTT.- SAMASTIPUR, MOB- 9862589153

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Arun Kumar
Mr.Praveen Ranjan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-07-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party

no. 2.

2. The petitioner apprehends his arrest in a complaint

case punishable for the offence under Sections 379, 384, 386,

504, 506 of the Indian Penal Code.

3. As per complaint case, the complainant/opposite

party no. 2 after purchasing a piece of land, on the alleged date

and time of occurrence, while he was erecting a hut on the said

land, in the meantime, this petitioner and other co-accused

persons came there, armed with deadly weapons, and demanded

Rs. 50,000/-, as *Rangdari*, and out of fear, the complainant paid



the extortion money to this petitioner and also reported the matter to the local police. It is further alleged that on 12.08.2023, all the accused including this petitioner came at the door of complainant and assaulted him with *lathi & danda* and co-accused Dilip Rai snatched gold chain from complainant and thereafter, they fled away.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. As a matter of fact the complainant purchased the said land from Neelam Devi, who happens to be *Gotiya* of this petitioner and there was property dispute between them. He further submits that though, petitioner's side was in possession of the said land, but Neelam Devi fraudulently sold the said land to complainant and complainant, after knowing all the facts of dispute over the said land, purchased the said land. Moreover, the dispute involved in the present complaint petition is purely civil in nature and no criminal offence is made out. The allegation of demand of extortion money is general and omnibus. Petitioner claims clean antecedent.

5. However, learned A.P.P. for the State and learned counsel for the complainant / opposite party no. 2 opposed the prayer for anticipatory bail.



6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner be enlarged on bail 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. 1st Class, Samastipur / concerned court in connection with Samastipur Complaint Case No. 1674 of 2023 (T.R. No. 2628 of 2023), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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