

Arising Out of PS. Case No.-88 Year-2022 Thana- TETERHAT District- Lakhisarai

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Ms. Vaishnavi Singh
Mr. Ritwik Thakur
For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State along with learned counsel appearing
on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 385, 387 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of six cases and has been falsely implicated in the instant case by the informant with an allegation that informant intended to set up a factory in the village and in this connection had gone to meet Sunil Singh and when he was coming back, he was intercepted by the accused persons including the petitioner and the petitioner along with



Chintu at the point of gun demanded extortion of Rs. 10 lacks.

4. The learned counsel for the petitioner submits that the informant was intending to establish a rice mill in the village for which he had purchased some land and was trying to capture the land adjacent to the purchased land in order to establish a big rice mill. It is submitted that one Roshan Kumar filed an application before the Circle Officer bringing to his notice that his co-sharers have sold land in excess of their share to the informant and others and thus requested not to mutate the land. It is submitted that Roshan Kumar was supported in his endeavours by the villagers including the petitioner, accordingly, the Circle Officer did not mutate the land in favour of the informant and others who had purchased the land from the co-sharers of Roshan Kumar against which the brother of the informant went in appeal before the DCLR, Lakhisarai, but the same was also rejected by an order dated 05.07.2023. It is submitted that since petitioner was objecting the purchase of land by the informant and his brother from the co-sharers of Roshan Kumar, as such, he has been implicated with bald allegation that petitioner along with other accused were demanding extortion at the point of gun taking advantage of his antecedents. It is further submitted that petitioner will not



abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel for the petitioner that the petitioner was supporting Roshan Kumar whose land was sold by his co-sharers in favour of the informant, his brother and others.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tetarhat P.S. Case No. 88 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his brother-in-law, Mangal Kumar.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the



learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation or not presenting himself as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. **Accordingly, the present anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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