

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44224 of 2024

Arising Out of PS. Case No.-210 Year-2016 Thana- TURKAULIYA District- East Cham-
paran

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Lalan Sahani Son of Lakhraj Sahani Resident of Village- Raghunathpur, P.S-
Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Turkauliya P.S. Case No. 210 of 2016 dated 08.06.2016 instituted
for the offence punishable under Section 341, 323, 324, 387, 379,
307, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that when the infor-
mant was getting his house constructed on his land, the petitioner
along with other accused persons armed with weapon, came to his
land and demanded five lakh rupees as extortion and also abused
and assaulted.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner has no concern with



the alleged occurrence, but on the instigation of some people who are inimical to the petitioner, the informant has dragged the name of the petitioner in this case. Learned counsel for the petitioner submits that the case has been compromised between the parties and good sense has prevailed in between them. In this regard, a compromise petition has been filed before Additional Chief Judicial Magistrate- 6, Motihari, East Champaran. Learned counsel for the petitioner further submits that the offence under Section 387 of the Indian Penal Code is not made out against the petitioner. Lastly, it has been submitted that petitioner has one criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Turkauliya P.S. Case No. 210 of 2016, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., VIth, Motihari, East Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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