

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41797 of 2024

Arising Out of PS. Case No.-879 Year-2024 Thana- PIRBAHOR District- Patna

1. Savita Devi Wife Of Manoj Yadav Resident Of Mohalla- Bakarganj Bazaza Gali, P.S- Pirbahore, District- Patna.
2. Rina Devi Wife Of Vinod Yadav Resident Of Mohalla- Bakarganj Bazaza Gali, P.S- Pirbahore, District- Patna.
3. Manoj Yadav @ Manoj Kumar Son Of Late Bibhuti Yadav @ Biputi Roy @ Chulhan Roy Resident Of Mohalla- Bakarganj Bazaza Gali, P.S- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 384, 504, 506, 386, 388 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners have antecedent of four cases and have been falsely implicated in the instant case by the informant. It is next submitted that the informant in the F.I.R. alleged that he had sold certain portion of his land along with his sister to Shambhu Kumar and Md. Afjal on 19.06.2023, thereafter, the petitioners



along with Binod Kumar were demanding extortion of Rs.10 lacs and threatened that in the event if extortion amount is not given, the informant would be killed, thereafter, on 01.12.2023 at about 7.00 P.M. the accused persons entered his house and looted Rs.2 lacs and threatened that they would implicate the informant and the purchasers of land in false cases, if the entire amount obtained from sale of land is not given. The learned counsel submits that the informant has described himself in the F.I.R. as son of late Bibhuti Rai @ Chulhan Rai, whereas he has described the petitioner no.3, as son of Late Bibhuti Yadav. It is next submitted that petitioner no.3 is own brother of the informant and petitioner no.1 is wife of petitioner no.3 and petitioner no.2 is wife of Binod Yadav, who is also own brother of the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant has tried to give an impression that after he sold the land, criminals were demanding extortion, when the issue is of partition. It is also submitted that it absolutely does not stand to reason that as to why the informant concealed his relationship with the petitioners.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Pirbahore P.S. Case No.879/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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