

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41689 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- BAHERA District- Darbhanga

Md. Shabir @ Md. Sabir Khan S/o Late Moti Khan @ Moti Miyan R/o vill -
Basuham Ward no. 8, Post - Bahera, Benipur, P.S. - Bahera, Distt. -
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar Thakur, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Nafisuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with
Bahera P.S. Case No. 357 of 2023 instituted under Sections 147,
148, 149, 384, 386, 504, 427 and 506 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the
petitioner is that he along with other co-accused persons
assaulted the person who was looking after the land in question
of the informant and asked the extortion money from the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to land dispute. There is delay of 7 days in lodging the



FIR. Petitioner has four criminal antecedents which have been filed either by the informant or his caretaker to pressurize the petitioner side. There are three Title Suits and proceeding under Section 107 Cr.P.C. also pending between the parties. The petitioner undertakes to co-operate in the investigation.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released 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 Additional Chief Judicial Magistrate-Ist, Benipur, Darbhanga, in connection with Bahera P.S. Case No. 357 of 2023 (G.R. No.316 of 2023), subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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