

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52948 of 2024**

Arising Out of PS. Case No.-592 Year-2023 Thana- RAMNAGAR District- West Champaran

1. ALI AKHTAR @ AKHTAR ALI SON OF MANJUR MIYAN VILLAGE-PIPRAMAPHI BHAWAL, PS- RAMNAGAR, DIST- WEST CHAMPARAN
2. CHANDBABU @ CHAND MIYAN SON OF MANJUR MIYAN VILLAGE- PIPRAMAPHI BHAWAL, PS- RAMNAGAR, DIST- WEST CHAMPARAN
3. NOOR JAHAN KHATOON WIFE OF ALI AKHTAR @ AKHTAR ALI VILLAGE- PIPRAMAPHI BHAWAL, PS- RAMNAGAR, DIST- WEST CHAMPARAN
4. SADDAM HUSSAIN SON OF ALI AKHTAR @ AKHTAR ALI VILLAGE- PIPRAMAPHI BHAWAL, PS- RAMNAGAR, DIST- WEST CHAMPARAN
5. RUKHSANA PRAVEEN @ RUKHSANA KHATOON WIFE OF CHAND BABU @ CHAND MIYAN VILLAGE- PIPRAMAPHI BHAWAL, PS- RAMNAGAR, DIST- WEST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. Isteyak Ahmad Son of Vazir Khan R/o- Mujara PS-Ramnagar Dist- West Champaran

... .. Opposite Party/s

**Appearance :**

|                            |                                  |
|----------------------------|----------------------------------|
| For the Petitioner/s :     | Mr. Milind Kumar Mishra, Adv.    |
| For the Opposite Party/s : | Mr. Bharat Lal, APP.             |
|                            | Mr. Vijay Kumar Singh No.1, Adv. |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      13-11-2024              Heard learned counsel for the petitioners, learned A.P.P.  
for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 147, 149, 341, 323, 385, 387, 419, 420, 467, 468, 120(B) of the Indian Penal Code.



3. As per the prosecution case, the informant purchased a piece of land bearing Khata no. 49, Khesra no. 248, Area 2 katha at Pipramafi on 27.12.2019 from co-accused Rasidul Haque as well as 4 katha land in the same plot on 27.07.2022 from co-accused Khurshidul Haque, Farhat Zabi, Nujahat Zabi and Nusrat Zabi and got peaceful possession on the said land. Jamabandi was also created in his favour. It is further alleged that petitioner no.1 and petitioner no.2 purchased the same land in favour of their wives fraudulently and having conspiracy with other co-accused started demanding ransom of Rs. 5,00,000/- from the informant and also threatened him to kill him in case of non-fulfillment of the same. It is further alleged that on 30.11.2023 at about 03:00 PM, all the accused persons named in the FIR having armed with deadly weapons arrived on the said land and started abusing the informant. On protest, they assaulted the informant brutally and demanded Rs. 5,00,000/- as extortion from him with threat of dire consequences.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally



false and based on concocted facts. From bare perusal of the FIR, it is evident that there is civil dispute between the parties, but merely on the basis of concocting story, the informant tried to give it colour of criminal case. Both sides have filed cases against each other. A complaint case i.e. Complaint Case No. 692 of 2023 has been filed by petitioner no.5 against the informant and others. In the aforesaid complaint petition, the learned Court below has taken cognizance against the informant and others for the offence punishable under Section 323, 504, 506/34 of the Indian Penal Code. Only with a view to save his skin in the aforesaid case, the informant filed this false case against the petitioners. Prior to the present case, two more cases have been instituted by the informant and others against the petitioner's side. There is inordinate and abnormal delay of about 20 days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Learned counsel further submits that petitioners have criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the



case, since there is civil dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ramnagar P.S. Case No.592 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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