

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67698 of 2024

Arising Out of PS. Case No.-447 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Amit Kumar Sah @ Mito S/o Ashok Sah R/o RAhimpur Rudauli, P.O.-
Rudauli, P.S.- Muffasil, District- Samastipur, State- Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhigyan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Samastipur Mufassil P.S. Case No. 447 of 2022 dated 10.10.2022
instituted for the offence punishable under Sections 406, 420, 384,
385, 386, 387, 341, 323, 504/34 the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
along with other accused persons, after hatching conspiracy in
collusion with each other took six lakh rupees for execution of sale
deed from the informant and they executed documents of land, but
they, in the name of giving possession, demanded two lakh rupees
as extortion and also threatened the informant to kill her if she will
not fulfill their demands. It is also alleged that the petitioner
snatched Rs. 25,000/- from the informant as extortion on the point



of pistol.

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 date of occurrence is 28.09.2022 while the present F.I.R. has been lodged on 10.10.2022 after delay of 12 days without any plausible explanation. Learned counsel for the petitioner submits that allegation against the petitioner is that he on the point of pistol snatched Rs. 25,000/- from the informant, which is completely false. It is submitted that co-accused, Ashok Sah executed three sale deeds in favour of the informant on 20.05.2016, 17.08.2016 and 24.07.2017 having an area of 1 katha 8 dhurs. The said Ashok Sah in the name of giving possession demanded two lakh rupees as extortion and also threatened the informant to kill her if she will not fulfill the said demand. Similarly situated co-accused, namely, Ashok Sah and Ratnesh Kumar Sah have been granted bail vide order dated 31.08.2024 passed by this Court in Criminal Miscellaneous No. 54945 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

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 Samastipur Mufassil P.S. Case No. 447 of 2022, 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 Sub Judge V cum ACJM-II, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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