

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70165 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- MUFFASIL District- West Champaran

1. Ramayan Sah Son of Late Bhola Sah Resident of Village- Hardiya, Police Station- Muffasil Bettiah, District- West Champaran
2. Krishna Sah Son of Ramayan Sah Resident of Village- Hardiya, Police Station- Muffasil Bettiah, District- West Champaran
3. Kalam Mian @ Md. Kalamuddin Son of Rajjak Miyan Resident of Village- Chauriya Tola Baikunthava, Police Station- Jagdishpur, District- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 385, 387 of the Indian Penal Code.

3. Petitioners are said to have demanded extortion money from the informant and threatened him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that the petitioners have not demanded any Rangdari from the informant. He submits that the petitioner no. 1 and 2 have executed a sale deed



in favour of the informant in the year 2015 bearing khata No. 112 Khesra No. 456 an area of 2 katha but the informant created Jamabandi of excess land and constructing a building on the excess land, therefore, this false case has been lodged by the informant. He submits that there is no specific overt act against the petitioners. He further submits that petitioner nos. 1 and 2 have no criminal antecedent and petitioner no. 3 has two criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner no. 3 to assault the worker of the informant and looted the construction article.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner no. 1 and 2, let the above named petitioner nos. 1 and 2 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 183 of 2024, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 3 is concerned, there is specific overt act against him, I am not inclined to enlarge the petitioner no. 3 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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