

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74060 of 2024

Arising Out of PS. Case No.-159 Year-2022 Thana- THARTHARI District- Nalanda

1. Suryabhan Singh @ Man Singh S/O Ram Saran Singh @ Ram Jatan Singh R/O Village- Dhotu Chak, P.S- Tharthari, Distt.- Nalanda.
2. Shivji Singh @ Shivji S/O Late Ram Kishore Singh R/O Village- Rasai Bigha, P.S- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-10-2024 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 offences punishable under Sections 341, 323, 384, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleges that petitioner no.2, Shivji Singh came to him and took the informant to his house saying that he would solve the land dispute and asked him to sign on the stamp, the informant did not sign after which he was assaulted and put the gun on his forehead and forcibly made the informant sign on a stamp and a



blank page also took thumb impression and threatened to kill if he would lodge an FIR and asked 1 lakh rupees and told the informant along with his two brothers to transfer land to them. It is further alleged that the petitioners want to get the land registered in their names by extorting money and further the informant alleged the names of other co-accused who were present there.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is case of civil dispute. Nothing has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners has further submitted that the Section 384 of the I.P.C. is not made out against the petitioners. The petitioners have no concern with the alleged offence. The petitioner no.1 has one criminal antecedent and petitioner no.2 has three criminal antecedents as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda in connection with Tharthari P.S. Case No. 159 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with the condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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