

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86281 of 2023

Arising Out of PS. Case No.-271 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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Syed Ahmad Kamal @ Sayed Ahmad Kamal @ Ahmad Kamal, Son of Late
Syed Kamal Ahsan Resident of Village - Kalvan, P.S. - Amas, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Nasimuddin Son of Late Md. Azimuddin Resident of Village -
Hamjapur, P.S. - Amas, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyaveer Jha, Advocate.

For the Opposite Party/s : Mrs.Renu Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 08-05-2024 Heard Mr. Satyaveer Jha, learned counsel appearing

on behalf of the petitioner and Mrs. Renu Kumari, learned APP

for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 271 of 2019 registered for the offence
punishable under Sections 465, 468, 384 and 504 of the Indian
Penal Code.

3. As per the complaint, allegation against the
petitioner is that he, at the point of pistol, demanded a sum of
Rs.10,00,000/- from the complainant and had threatened to
dispossess from the land which is in his peaceful possession.
With regard to the said dispute, a Title Suit No. 86 of 2018 is



pending between the parties.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in the case. For putting pressure on the petitioner to sell the land, a false complaint has been lodged against him. The petitioner is lawful owner of the land in question appertaining to Khata No. 134, 89 (old), Plot No. 1920, 740 (old), area 66 decimal vide registered Deed No. 6619.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail and submitted that the transaction is purely civil in nature. However, there is demand of ransom made by the petitioner and the petitioner had also threatened the complainant, as such, the petitioner don't deserve to be released on bail.

6. In spite of notices having been served upon the opposite party no.2, no one has tendered appearance on behalf of the opposite party no.2.

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that in the complaint, it has been admitted that the dispute arose due to sell of a piece of land belonging to the father of the petitioner, *prima facie*, it appears that the complainant is aggrieved for non-execution of a



sale deed for which he has remedy before the competent civil court, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Sherghati, Gaya in connection with Complaint Case No. 271 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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