

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14280 of 2024

Arising Out of PS. Case No.-63 Year-2019 Thana- MAHNAR District- Vaishali

Awadhesh Sahani @ Awadhesh Kumar Sahni @ Avdesh son of Dineshwar
Sahani R/o - Lawapur narayan,P.S- Mahnar, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Ban Bihari Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Parmod Ban Bihari Singh, learned
counsel appearing on behalf of the petitioner and Mr. Rajendra
Prasad Nat, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Mahnar P.S. Case No.63 of 2019 registered under Sections
341, 323, 308, 384, 353, 379 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
had demanded a sum of Rs.50,000/- as extortion from the
informant, who was serving as Upmukhiya and upon refusal
petitioner assaulted him.

4. Learned counsel appearing on behalf of the
petitioner submits that the allegation is of ornamental nature.
The petitioner and the informant are co-villagers and no such
demand was made by the petitioner, rather, the petitioner on



several occasions had objected the quality of material used in the Nal Jal Yojana, which led to the filing of the false case based on baseless accusation. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submission made on behalf of the parties, as well as, the fact that a general and omnibus allegation has been made against the petitioner, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned 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 J.M.- Ist Class, Vaishali at Hajipur in connection with Mahnar P.S. Case No.63 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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