

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5346 of 2024

Arising Out of PS. Case No.-1079 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Raj Kumar Prasad Son Of Late Shyambabu Prasad Resident of Piprahiya, P.S.
- Nawalpur, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mofilal Yadav Son of Late Harihar Yadav R/O-Piprahiya, P.S.-Nawalpur,
Distt.-West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1079 of 2022, instituted under Sections
149,323,341 and 420 of the Indian Penal Code.

3. As per allegation in the complaint petition is that
petitioner has sold two pieces of land on two different dates to
the complainant. Later on, the petitioner demanded extortion
money of Rs. 1,50,000/- from the complainant for the
possession of the lands, out of which Rs, 40,000/- was paid by



the complainant to the petitioner. When the complainant refused to give rest money, the petitioner sold the same land to one Santosh Yadav and one Title Suit was filed by the petitioner's brother against the complainant about the same land.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner sold his ancestral land to the complainant on 29-06-2004 and 14-12-2004 through two registered sale deeds and the present case has been lodged on 31-05-2022. It is submitted that both parties are neighbours and there is land dispute between the parties and petitioner's brother filed Title Suit bearing Title Suit No. 23 of 2023 before the learned Munsif, Bettiah, which is pending for adjudication. Lastly, it is submitted that petitioner has no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 CJM Bettiah, West Champaran, in Complaint Case No. 1079 of



2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

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