

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22159 of 2025

Arising Out of PS. Case No.-405 Year-2024 Thana- MASHRAK District- Saran

1.

Lalan Singh S/o Late Gorakh Singh R/V Masrakh Gopalbari, P.S-Mashrak, Dist.-Saran
2.

Shyam Bahadur Singh S/o Late Bhoneshwar Singh R/V Masrakh Gopalbari, P.S-Mashrak, Dist.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Mashrak P.S. Case No. 405 of 2024 for the offence registered under sections 341, 323, 384, 420, 467, 468, 471 and 34 of the IPC lodged on 30.06.2024 by the informant Ashok Kumar Prasad.

3. As per the prosecution story, the informant alleged that they are in possession of the land in question and when the same was being cleaned for boundary, the accused persons armed variously came and after informing that the same has been sold to amongst other, these two petitioners demanded ransom and also assaulted by fist and slap. This led to the FIR.



4. Learned Counsel for the petitioners submit that it is purely a civil dispute and only to exaggerate, the allegation have come, both the petitioners do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the allegation of assault and extortion is there.

6. Taking into account the submissions of the parties as also the fact that both the petitioners are above sixty years of age having no criminal antecedent, an undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. However, if it is found that the petitioners have criminal antecedent, the present order shall become infructuous.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M VII, Saran in connection with Mashrak P.S. Case No. 405 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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