

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36865 of 2025

Arising Out of PS. Case No.-82 Year-2023 Thana- ALAMNAGAR District- Madhepura

1. Md. Iftekhar @ Md. Iftekhar Alam S/O Late Suleman @ Sullo R/o Village- Madheli ward No 14, PS- Alamnagar, District- Madhepura
2. Kohinoor Alam S/O Md. Asim R/o Village- Madheli ward No 14, PS- Alamnagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-09-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Madhepura in A.B.P. Case No. 450 of 2025 in connection with Alamnagar P.S. Case No. 82 of 2023 for the offence registered under sections 341, 323, 447, 448, 379, 385, 504, 354/34 of IPC and later on added Section 327 of IPC.

3. As per the prosecution story, on 06.10.2022, while getting the materials unloaded for construction of the building, the allegation is that the accused persons including these two petitioners came and demanded extortion, stopped the construction and forced the laborers to leave the place. This followed the FIR.



4. Learned Counsel for the petitioners submit that no such occurrence took place, there was some minor dispute relating to the land which has been given the colour of extortion though he concede that the petitioners have criminal antecedent, subsequently, they have compromised. Further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he is ready to pay Rs. 5,000/- each (totaling Rs. 10,000) to the Chief Minister's Relief Fund.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that they demanded extortion and forced the informant's side not to construct the building.

6. Considering the submissions of the parties, it is unfortunate that unnecessarily, the Police as also the Courts are being burdened due to the highhandedness attitude of the accused persons including the petitioners herein, if the allegation in the FIR is to be believed. However, as per the Annexure-2, they have come to an amicable settlement for the sake of peace in the society and on the undertaking that they shall be diligently appearing in trial, this Court is inclined to grant them the anticipatory bail with conditions subject to



payment of Rs. 5,000/- each (totaling Rs. 10,000) to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the learned Trial Court.

7. 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 J.M. 1st Class, Udakisunganj, Madhepura in connection with Madhepura in A.B.P. Case No. 450 of 2025 in connection with Alamnagar P.S. Case No. 82 of 2023 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 appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be



submitted to the Court;

(iv) 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;

(v) 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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