

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61039 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- POTHIIYA District- Kishanganj

Nasik Nadeer S/o- Noor Alam @ Md. Noor Alam Village- Birwa Patkoihat
PS- Kochadhaman Distt-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Pothia Police Station Case No. 38 of 2025, dated 14.02.2025, disclosing offences punishable under Sections 190/191(2)/191(3)/308(2)/308(5)/351(2)/352 of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that the informant is the Munshi (clerk) of Geeta Enterprises Weigh Bridge and a license has been given to the informant Enterprises for weighing the tractor/vehicle loaded with sand and also to provide challan with GST to the transporters. The settlement of the sand pier in cluster 5 was also made in favour of the informant Enterprises



for five years. It has been alleged that the petitioner, along with other co-accused persons, started demanding rangdari of Rs. 5,00,000/- and threatened the informant to load the sand on the vehicle without any challan etc and they used to threatened the transporters also who used to come to the weighing machine for taking challan after weighing the sand. On 05.02.2025, in the night, the petitioner and other co-accused persons came with a truck, bearing registration no. BR 37GA/7261, near the weighing machine of the informant Enterprises and started loading sand forcibly and threatened the informant with dire consequences using pistol and abused the informant also. They also got the sand forcibly loaded on the truck, due to which the weighing machine was obstructed for about six hours.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to political reason inasmuch as the petitioner is the Ward Member of the Zila Parishad Area No. 10 Kochadhaman.
5. I have heard learned Counsel for the parties concerned and have gone through the materials available on record.
6. The specific allegation of demand of rangdari and



threatening the informant is against the petitioner, who, along with his associates, named in the First Information Report, forcibly got the sand loaded on the truck and also obstructed the functioning of the weighing machine by using illegal force. The petitioner is having criminal antecedents inasmuch as six criminal cases are mentioned in paragraph 3 of this application, for serious offences, including the provisions of the Arms Act.

- 7. Accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.
- 8. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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