

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79008 of 2025

Arising Out of PS. Case No.-537 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Umair S/o Md. Husain Resident of village - Mohamadpur Bara Shankar,
P.S - Patahi, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mustak Ahamad S/o Mohamad Abbas R/o Village - Mohamadpur, Bara Shankar, P.O - Bara Shankar, P.S - Patahi, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Ajay Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Choubey Jawahar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No.537 of 2024 registered for the
offence(s) punishable under Sections 147,148, 149, 323, 341,
384, 382, 392 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner assaulted the
informant and also looted a sum of Rs.55,000/- while informant
was returning after closing his cloth shop. The petitioner is said
to have demanded extortion money from the informant.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner and informant are known to each-other. General and omnibus allegation has been levelled against the petitioner. There is land dispute between the parties in respect of a piece of land, for which, Title Suit No.114/2024 is pending between them and to grab the said land, the informant on false accusation has lodged the present complaint. Petitioner has one criminal antecedent, in which, he is on bail and the same has also been lodged by the informant of the present case.

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

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that there is admitted land dispute between the parties and allegation is general and omnibus, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran / Concerned Court in connection with Complaint Case No.537 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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