

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26497 of 2026

Arising Out of PS. Case No.-763 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Radha Tiwari S/o Gorakh Tiwari Resident of Village - Nandpur, P.S. - Muffasil, Dist. - East Champaran.
 2. Ram Ekbal Sahani @ Ekbal Sahani @ Rukbal Sahani S/o Late Sitaram Sahani Resident of Village - Nandpur, P.S. - Muffasil, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 308(5), 308(4), 119(1), 351 (2), 324, 112 of the B.N.S.

3. Petitioners are said to have demanded Rs. 5,00,000/- as extortion.

4. Learned counsel for the petitioners submits that the allegation of demand of extortion by these petitioners is totally incorrect and the FIR itself would disclose that no extortion amount etc. has been paid to the petitioners as the same only refers to a demand. It is further submitted that the informant had



got registered three Bighas of land in favour of his brother Bholanath Pd. Gupta and it is from this land that the said brother of the informant sold about three kathas of land to the petitioner no. 1 by way of sale deed (Annexure-2). The defence of the petitioners is that even after the same, they were creating problems in the petitioners taking peaceful possession of the said land and on account of such reason, the present false case has been instituted against them.

5. Learned APP for the State has opposed the application for anticipatory bail on the basis of the fact that the petitioners have criminal antecedents. However, in response, it has been submitted that they are on ball.

6. Taking into consideration the facts and circumstances and also considering the fact that there is no payment of any extortion money to the petitioners and there is also a dispute with regard to land between the parties, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection



with Muffasil P.S. Case No. 763 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) One of the bailors will be a family member/close relative.

(ii) The petitioners shall cooperate in the investigation and subsequent trial and in case of any non-cooperation shown on their behalf, the prosecution/court would be at liberty to take steps for cancellation of their bail bonds.

(Soni Shrivastava, J)

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