

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30609 of 2014

Arising Out of PS.Case No. -3443 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

Dr. Jagannath Prasad @ Jagar Nath Prasad S/o Late Bangali Sah Resident
of Mohalla-Pani Tanki Chowk, P.S.-Mithanpura, District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Opposite Party/s : Mr. P.N.Pandit(App)
Mr. Manish Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-01-2015 Heard learned counsel for the petitioner, learned Addl.
Public Prosecutor as well as Sri Manish Kumar, learned counsel,
who has voluntarily appeared on behalf of complainant.

The petitioner, apprehending his arrest in connection
with Complaint Case No. 3443 of 2013, Tr. No. 1464 of 2014
registered for the offence under Sections 323, 379, 341, 354 & 505
of the Indian Penal Code and section 27 of the Arms Act, has
prayed for grant of anticipatory bail.

At the very outset, it was submitted by learned
counsel for the petitioner that the petitioner is the tenant of the
complainant and eviction suit in between the parties is pending
since long. He further submits that prior to filing of the present

complaint, the petitioner has also filed a complaint case, vide Complaint Case No. 1451 of 2012 against the complainant of the present case and other accused persons. It has been submitted that only with a view to put pressure on the petitioner to vacate the premises, the present complaint case has been filed.

Sri Manish Kumar, learned counsel for the complainant has vehemently opposed the prayer of the petitioner. He submits that while the complainant was returning from attending the court proceeding, he was apprehended by the accused persons, including the petitioner and offences were committed, which has been elaborately mentioned in the compliant petition. Accordingly, he has prayed for rejection of the prayer of the petitioner.

Keeping in view the fact that litigation in between the parties is going on since long and eviction suit is also pending, in the facts and circumstances of the present case, the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Let the petitioner, namely; Dr. Jagannath Prasad @ Jagar Nath Prasad, be enlarged on bail, in the event of his arrest or surrender within a period of four weeks from today, on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the

like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Complaint Case No. 3443 of 2013, Tr. No. 1464 of 2014, under the provisions as contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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