

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42093 of 2015

Arising Out of PS.Case No. -584 Year- 1998 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Chandan Kumar Singh Son of Uday Narayan Singh Resident of
Anandgarh Colony, Barari, P.S. Tilka Manjhi, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 13-10-2015 Heard the learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, namely, Chandan Kumar Singh who apprehends his arrest in Sessions Trial No.646(A)/2002 arising out of Kotwali(Barari) P.S. Case No.584 of 1998 under Sections 341, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.

The learned senior counsel for the petitioner submitted that there is land dispute between the informant's party and the petitioner's party. There are cases and counter cases. Initially, the petitioner's party had filed Barari P.S. Case No.583 of 1998. After investigation, the police found that the petitioner has been falsely

implicated in this case and, therefore, he was not sent up. However, after 17 years, the Sessions Court, who is trying the Sessions case, on the basis of material and statements of the witnesses issued notice under Section 319 Cr.P.C.

On the other hand, the learned A.P.P. objected the prayer.

Considering the fact that there is land dispute between the parties and that the notice has been issued under Section 319 Cr.P.C., I direct the petitioner named above to surrender before the court below within six weeks from today and on his so surrendering, the court below is directed to release the petitioner on bail on furnishing bail bond of Rs.5,000/-(Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Sessions Judge, Bhagalpur in connection with Sessions Trial No.646(A)/2002 arising out of Kotwali(Barari) P.S. Case No.584 of 1998.

(Mungeshwar Sahoo, J)

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