

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14257 of 2016

Arising Out of PS.Case No. -288 Year- 2015 Thana -RAJIVNAGAR District- PATNA

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1. Dharmendra Kumar S/o Late Girija Nand Sharma Resident of Nepali
Nagar, P.S. Rajiv Nagar, District – Patna Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 01-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 147, 148, 341, 323, 427, 428, 447, 448, 385, 387, 467, 468 and 504 of the Indian Penal Code.

The prosecution case is that sister-in-law of the informant and his friend Krishnanandan Sahay purchased a plot in Nepali Nagar, Rajiv Nagar P.S. from Jai Prakash Nagar Sahkari Grih Nirman Samiti. The accused persons, including the petitioner, encroached the land of informant and when on 06.10.2015 the informant and his brother-in-law, Devendra Prasad Singh, came to the land in question they found that the accused persons are demolishing boundary wall and on protest being made the accused persons abused and assaulted the informant.

It is submitted by the learned counsel for the petitioner

that the petitioner claims to have purchased the land from Pappu Verma, son of Madan Prasad. Initially, Madan Prasad purchased the land from Jai Prakash Nagar Co-operative Society in the year 1985 and after death of Madan Prasad, Pappu Verma inherited the property and transferred the plot in favour of wife of the petitioner and since then petitioner is in peaceful possession of the land in question and considering the accusation, in the background of civil nature of dispute, co-accused Bhola Shankar Pandey has already been granted anticipatory bail by a co-ordinate Bench of this court in Cr. Misc. No. 5811 of 2016. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 Sri Saurav Kumar Verma, learned JM, 1st class, Patna in connection with Rajiv Nagar P.S. Case No. 288/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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