

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8760 of 2016

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

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1. VIKASH PANDEY @ VIKASH KUMAR @ VIKASH KUMAR
PANDEY Son of Brahameshwar Nath Pandey, R/o Mohalla- 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. Manoj Kumar Singh

For the Opposite Party/s : Mr. Anil Kr.Singh (App)

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

2 24-02-2016 Heard learned counsels for the petitioner and the

State.

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

The prosecution case is that the informant's sister in law and his friend Krishnandan Sahay purchased land in Nepali Nagar from Jail Prakash Nagar Sahkari Grih Nirman Samiti. The accused persons forcibly took possession of the petitioner's land and construction was being made. When the informant went to see his land on 6.10.2015 he found that some persons were breaking

the boundary wall of Krishna Nandan Sahay. On protest the petitioner abused the informant. In the meantime, one Sunil Singh and others came to rescue when the accused persons threatened and assaulted with fists and slaps and demanded extortion of rupees fifty lacs.

It is submitted by the learned counsel for the petitioner that the petitioner side purchased the land in 1983 from Hareram Pandey who was in possession of the land in question throughout. Later on, Hareram Pandey sold the said land. Co accused Bhola Shankar Pandey constructed house over the land and his name has already been mutated in the Patna Municipal Corporation records. Hence, the accusation has been levelled in the background of civil dispute as earlier 144 Cr.P.C. proceeding was also initiated between the parties. From the statement made in paragraph 3 of the petitioner it appears that the petitioner is accused in several cases but he has been granted bail in those cases.

Considering the accusation being levelled in the background of civil nature of dispute, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Rajeev Nagar P.S. Case No. 288 of 2015 pending in

the court of learned JM Ist Class, Patna.

This application is disposed of with the
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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