

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30759 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

1. Sunil Yadav Son of Late Baldeo Yadav Resident of village- Kathoutiya,
P.S.- Bihariganj, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sri Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2016 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 434, 379 and
120(B)/ 34 of the Indian Penal Code Act.

The prosecution case is of cutting earth from the
portion of land appertaining Khata No. 558 plot No. 1307
belonging to State of Bihar and selling of the soil.

It is submitted by learned counsel for the petitioner
that accused persons were in possession of 04 Acre 41 decimal
total area of 12.88 Acre of the land in question and a proceeding
under 106 B.T. Act is still pending with regard to the land in
question.

It is further submitted that co-accused Bijendra yadav

has been granted anticipatory bail by a Co-ordinate Bench of this court vide Criminal Misc. No. 14729 of 2016. A statement has made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the nature of accusation in the background of dispute with regard to title and possession over the part of the land in question let the above named petitioner be released on anticipatory bail in event of arrest/surrender before the learned court below within a period of 12 weeks from today on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Bihariganj P.S. Case No. 18 of 2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit by the petitioner that he will regularly co-operate during investigation. Non-co-operation by the petitioner during investigation will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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