

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40923 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -KHAZANIHAT District- PURNIA

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1. Ajay Singh @ Ajay Kumar Singh Son of Sri Fuleshwar Singh R/o
village - Paigpar, P.S. Bhargama, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 05-10-2016 Heard learned counsel for the petitioner and learned
counsel A.P.P. for the State.

2. The petitioner, Ajay Singh @ Ajay Kumar Singh,
apprehends his arrest in Khanjanchi Hat (Madhubani) P.S. Case
No. 36 of 2016 under Sections 447, 379, 384, 427, 120B and
506/34 of the Indian Penal Code.

3. According to the prosecution case, the petitioner and
co-accused cut away the bamboo from the land of the informant.

4. According to the learned counsel for the petitioner,
the land has already been purchased by this petitioner in the name
of his wife and from that portion, he has cut the bamboo.
Therefore, it is a pure civil dispute.

5. From perusal of the application, it appears that the

petitioner has annexed sale deed from which, prima facie, appears that the portion of the plot has been purchased by the wife of this petitioner. The allegation is that the petitioner cut the bamboo from the portion of the land of the informant whereas according to the petitioner, he cut the bamboo from the land, which has been purchased by his wife.

6. Considering the above facts and circumstances of the case, I direct the petitioner, above named, to surrender before the court below within one month from today and on his surrendering before the court below, the court below shall release the petitioner on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with K. Hat (Madhubani) P.S. Case No. 36 of 2016 subject to the condition as laid down under Section 438(2) Cr.P.C.

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(Mungeshwar Sahoo, J)