

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24883 of 2016

Arising Out of PS.Case No. -183 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

1. Lachhatra Biswas @ Nachhatra Biswas, son of Late Khuso Biswas, resident of village- Pokhram, Police Station- Murliganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 15-07-2016 The certified copy of the First Information Report of Murliganj Police Station Case No. 183 of 2015 has been filed on behalf of the petitioner, let the same be kept on record.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Murliganj Police Station Case No. 183 of 2015, disclosing offence under Sections 420, 406, 379/34 of the Indian Penal Code.

The gist of the allegation is that the petitioner extracted soil from a piece of land belonging to District Board, Madhepura, with the help of Tractors and sold it to

other co-accused persons named in the First Information Report. Such extraction of soil is said to have caused loss to the tune of Rs. 1,78,500/- to the District Board, Madhepura.

Learned Counsel appearing on behalf of the petitioner has submitted that the petitioner was, in fact, filling his land which is situated in the northern side of the land, in question, and on having been instigated by the co-villagers, the present First Information Report has been lodged.

Be that as it may, considering the nature of accusation, this application is allowed.

Let the petitioner, Lachhatra Biswas @ Nachhatra Biswas, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond 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 Murliganj Police Station Case No. 183 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of

failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)