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Gobind
Mohalla

The State

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Appear
For the

Gobind Saw @ Gobind Kumar, Son of Sri Tarak Nath Saw, resident of

Mohalla- Pathiya Bazar, Police Station- Phulwari, Sharif, District- Patna.

.... Petitioner/s

The State of Bihar

.... Opposite Party/s

Appearance :

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Phulwari Sharif P.S. Case No. 358/15 for offences alleged under

Sections 323, 384, 504 and 506 of the Indian Penal Code.

It has been submitted by the learned counsel



for the petitioner that he is innocent and has falsely been implicated in the aforesaid case due to land dispute and there is a civil suit pending between the parties. He submits that earlier learned Sessions Judge, Patna vide order dated 16.06.2015, passed in A.B.P. No. 3022 of 2015 had already granted him privilege of anticipatory bail but he did not furnish bail bonds in pursuance to that order and again filed A.B.P. No. 3226 of 2016, which was rejected on 17.05.2016 on that ground only. He submits in paragraph 13 of this petition that he had no knowledge of the earlier bail granted as he was not informed by the learned counsel appearing on behalf of the petitioner in the earlier bail application and due to lack of information he filed second anticipatory bail application before the learned court below, which was dismissed without going into the merit of the case. He further submits that another co-accused has also been granted the privilege of anticipatory bail by the learned court below on 17.05.2016 on the same facts and on similar allegations.

Learned APP appearing on behalf of the State submits that the petitioner is named in the First Information Report hence, opposes the prayer for bail.

Be that as it may, since the matter relates to land dispute between the parties, let petitioner, above named, in

the event of his arrest or surrender before the court below within a period of eight weeks from today, 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, Patna, in connection with Phulwari Sharif P.S. Case No. 358/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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