

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 49047 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Maheshwar Prasad Singh @ Sajjan Singh Son of Late Ramchandra Singh,
resident of village- Iniyar, P.S.- Muffasil, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-12-2016 Heard Sri Ram Sumiran Rai, learned counsel for the
petitioner and Sri Jitendra Kumar Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Begusarai (Town) P.S. Case No. 7 of 2016 registered for offence
under Sections 147, 148, 149, 341, 323, 379, 385 & 506 of the
Indian Penal Code and Section 27 of the Arms Act, 1959, has
prayed for grant of bail in the event of his arrest or surrender.

By way of referring to F.I.R., learned counsel for the
petitioner submits that informant himself has accepted in the F.I.R.
that in relation to property in question, a title suit is already going
on. He submits that only with a view to pressurize the petitioner
not to pursue the case in title suit, present false case has been
instituted. He further submits that save and except allegation made
under Sections 379 & 385 of the Indian Penal Code and Section



27 of the Arms Act, 1959, all other offences are bailable. According to learned counsel for the petitioner, as per F.I.R. itself, falsity is proved.

Sri Jitendra Kumar Singh, learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail, on the plea that petitioner is one of the F.I.R. named accused.

However, after going through the materials on record, particularly the F.I.R., which suggests that land dispute in between the parties is already going on, there is no reason to deny the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Maheshwar Prasad Singh @ Sajjan Singh be enlarged 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, Begusarai in connection with Begusarai Nagar P.S. Case No. 7 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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