

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37029 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -NARDIGANJ District- NAWADA

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Rajendra Prasad Singh @ Rajendra Kumar Singh, son of Late Domi Singh,
resident of Village- Rajaur, Police Station- Nardiganj, District- Nawada, At
present R/O- Village- Parariya, Police Station- Nardiganj, District- Nawada.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 19-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Nardiganj P.S. Case No. 153 of 2015, disclosing offences under Sections 147, 465, 468, 471, 447 and 120B of the Indian Penal Code.

The Circle Officer, Nardiganj of Nawada district is the informant. It is alleged in the First Information Report that the petitioner was raising construction over the public land, which has been entered as “Aahar and Bandh” in the Khatiyani. Allegedly, the petitioner had purchased the said piece of land by some one else. It is alleged in the First Information Report that there is a racket of making sale deeds with respect to public lands on the basis of which the persons are claiming title.

Learned counsel for the petitioner has submitted that the dispute is purely civil in nature and the Title Suit No. 95 of 2016 is pending in the Court of Munsif, Nawada between the petitioner and the State of Bihar.

Considering the facts mentioned in the First Information Report, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nardiganj P.S. Case No. 153 of 2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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