

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45651 of 2015

Arising Out of PS.Case No. -106 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

Rajendra Prasad @ Rajendra Mahto Son of Late Thakkan Mahto, Resident of village - Ekdara, Police Station - Bibhutipur in the district of Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-01-2016 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in Bibhutipur P.S. Case No. 106/2015, registered for the offences punishable under Sections 147, 149, 323, 384, 380, 427, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is full brother of the informant and that he had already partitioned long back.

It is submitted that despite such partition, the informant side has attitude and is not permitting the petitioner to enjoy the property, as a result of which the present occurrence took place. It

is further submitted that in view of land dispute there is a case and counter case. Both the parties have sustained injuries.

In view of the nature of allegations and also considering that the petitioner is a man of clean antecedent, let the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 Sri A. Kumar, Judicial Magistrate 1st Class, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 106/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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