

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28436 of 2016

Arising Out of PS.Case No. -2786 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Deepak Chauhan Son of Bidhyapati Chauhan Resident of Village-
Sakatauli Police Station- Bhore District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

2. Anushka Kumar Daughter of Hira Chauhan resident of Village-
Sakatauli, P.S- Bhore, Dist- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-07-2016 Heard Sri Umesh Kumar Singh, learned counsel for the

petitioner and learned A.P.P.

The sole petitioner, apprehending his arrest in connection with Complaint Case No. 2786 of 2014 , Tr. No. 395 of 2016 registered for the offence under section 323, 354 and 427 of the Indian Penal Code, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner by way of referring to the impugned order i.e. the order dated 19.4.2016 wherein prayer for anticipatory bail of the petitioner was rejected by the learned Sessions Judge , Gopalganj submits that there is already land dispute going on in between the parties and prior to lodging

of the present complaint the complainant's mother had earlier filed a complaint case vide Complaint Case No. 2105 of 2014. He submits that the petitioner is the own *pattidar* of the complainant's side and only with a view to put pressure on the petitioner's side the present complaint case has been filed. He has further argued that save and except the provision contained in section 354 of the Indian Penal Code all other sections are bailable.

Besides hearing learned counsel for the parties I have also perused the complaint petition as well as the impugned order.

In view of the facts and circumstances , in the event of arrest or surrender within a period of six weeks from today, let the petitioner Deepak Chauhan be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Gopalganj / concerned court in connection with Complaint Case No. 2786 of 2014, Tr. No. 395 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure .

(Rakesh Kumar, J)

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