

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4374 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -GANDHIMAIDAN District- PATNA

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Dharmendra Kumar Gupta Son of Shri Arjun Sao resident at
Mamarkhabad English, P.O. Pandarakh, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. Upendra Yadav @ Upendra Prasad Yadav Son of Late Awadhesh
Yadav resident of village - Gopepita, P.S. Pandarak, District - Patna

.... Opposite Parties

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Appearance:

For the Petitioner : Mr. Amrit Abhijat, Advocate
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that the
OP No. 2 has obtained anticipatory bail on the erroneous
premise that the earlier Complaint Case No. 448 of 2013 had
been filed by the informant-petitioner for the same reason as
in the FIR in question.

3. It appears that this Court proceeded on the footing
that the FIR as well as the Complaint Case No. 448 of 2013
related to the same piece of land which was under dispute
between the parties and such dispute was essentially of civil
nature. It was noted that the OP No. 2 had been granted bail in



the said Complaint Case. The petitioner has not made out a case that the OP No. 2 has in any manner committed default of the conditions upon which the anticipatory bail was granted to him.

4. Having regard to the above, this Court finds no merit in the present petition, which is accordingly dismissed.

Chandran/lbrar

(Vikash Jain, J)

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