

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9797 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -BAJPATTI District- SITAMARHI

=====

1. Narednra Singh @ Bhola Singh son of Mahendra Narayan Singh resident of Village - Balha Manorath, P.S. - Bajpatti, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar
For the Opposite Party/s : Mr. Sri Anant Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 25-04-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bajpatti Police Station Case No. 208 of 2016, disclosing offences under Sections 147, 148, 149, 323, 324, 325, 307, 354, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that there is land dispute between the parties and for which a case and counter case have been lodged by both the parties. In fact, the co-accused, Ram Janam Singh, had filed C.W.J.C. No. 8829 of 2015 against the informant side for removal of encroachment on Public Road, which was done by Ram Ekbal Singh, who is father of the informant. The said writ petition was disposed of on 03.10.2016 directing the District Magistrate-cum- Collector, Sitamarhi to act in



the said matter in accordance with law, which is annexure-3. When the said encroachment was removed, the prosecution party being aggrieved by the petitioner indulged in Marpit and lodged the false and fabricated case implicating the petitioner. Admittedly, there is allegation of shot fire against the petitioner but there is no fire arm injury on the person of the injured nor anything has been recovered from the conscious possession of the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi, in connection with Bajpatti Police Station Case No. 208 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

