

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39968 of 2016

Arising Out of PS.Case No. -361 Year- 2016 Thana -SHASTRINAGAR District- PATNA

=====

1. Bhisham Singh, son of Late Hari Charan Singh, resident of Mohalla-Sheikhpura, P.S. Hawai Adda, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Shayam Sudner Rai, son of late Ram Kishun Rai, resident of village-Rupaspur, P.S.-Rupaspur, P.O.-Dhanaut, District- Patna, at present residing at Parsa Bazar, P.S.-Parsa Bazar, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Advocate

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 06-03-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Shastri Nagar P.S. Case No.361 of 2016 instituted for the offence under Section(s) 147, 148, 149, 341, 342, 323, 504, 506, 386, 387 Indian Penal Code.

It is alleged that the petitioner raised objection when the informant wanted to make construction on the land, as mentioned in the Complaint Petition, which he has purchased in his name and his name has also been mutated in the government *sarista*.

Counsel for the petitioner has filed Annexure-4 and submitted that there is report of the Circle Officer stating therein



that the petitioner is coming in possession of aforesaid land from several years and rent receipt has also been issued in favour of the petitioner vide Annexure-5.

In such circumstances, this Court feels that this is purely a matter of civil dispute, which can be adjudicated before the Civil Court properly.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Shastri Nagar P.S. Case No.361 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Aditi Gupta, Judicial Magistrate, 1st class, Patna, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

JA/-

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

