

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55629 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -OBRA District- AURANGABAD

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1. Ajay Kumar Singh Son of Arjun Prasad Singh, R/o Village- Nawadih,
P.S.- Obra, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Obra P.S. Case No. 149
of 2016 instituted for the offence under Sections-420, 427, 467, 468 &
other minor Sections of the Indian Penal Code.

It has been submitted that it is a matter of land dispute.

In the written report, it is alleged that land was initially
purchased by Ram Janam Prasad, uncle of the informant through sale
deed dated 22-06-1987. The informant is coming in peaceful possession
over the same. The informant learnt on 18-07-2016 that Renu Devi had
got a sale deed executed in her favour. The informant verified the fact
and found the same true and thereafter, Renu Devi got stopped the
construction work of the informant by initiating a proceeding u/S 144
of the Cr.P.C. on account of which, loss has been caused to the
informant. It has further been alleged that when the



informant attempted to compromise, then they abused and threatened him and forcibly took possession of the land.

In this manner, from the complaint petition itself, it is apparent that it is a matter of land dispute between the parties.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Obra P.S. Case No. 149 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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