

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59929 of 2017

Arising Out of PS. Case No.-474 Year-2017 Thana- FORBESGANJ District- Araria

Shambhu Mandal, Son of Nandlal Mandal, Resident of Village- Kusaha, P.S.
Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. SRI AMRENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 447,327,384 and 504 of the IPC.

It is alleged by the informant that he received information that the petitioner is constructing house on the government land. When the informant forbade the petitioner to do so, he failed to obey the direction.

It is submitted by learned counsel for the petitioner that the petitioner has not constructed his house on any government land rather, the petitioner has constructed house six kilometers away from the government land. Moreover, even assuming the accusation, no offence is made out. It is further submitted that the informant misbehaved with the wife of the



petitioner, as a result, the wife of the petitioner filed Araria Mahila P.S. Case No. 37 of 2017 on 12.7.2017 against the present informant with accusation under sections 447,341,323,354,379,419,420 and 506 of the IPC. Hence, as a retaliatory measure the informant got registered the present case on 29.6.2017. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and the fact that the case by the petitioner side was lodged earlier in point of time coupled with the statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Forbesganj P.S. Case No. 474 of 2017.

(Dinesh Kumar Singh, J)

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