

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19500 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -FALKAHA District- KATIHAR

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Basudeo Sah, S/o Late Fuchi Sah, R/o Chhapanna, P.S. Falka, Distt. -
Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-06-2017 Heard Sri Sanjeev Kumar Singh, learned counsel for
the petitioner, and Sri Damodar Prasad Tiwary, learned A.P.P. for
the State.

The petitioner is seeking anticipatory bail in Falka
P.S. Case No. 15/2017 registered under Sections 302, 201/34 of
the Indian Penal Code.

The accusation against the petitioner is that there
being a land dispute between the petitioner and the informant
family, the petitioner was threatening the informant family of dire
consequences. The informant received information regarding the
dead body of his elder brother and his motorcycle lying on NH 77
and thereafter an F.I.R. was lodged. The petitioner is named in the
F.I.R. along with one Fekan Sah.



Learned counsel for the petitioner would submit that the petitioner is aged about 75 years and has been falsely implicated without there being any evidence in this regard.

Learned A.P.P. has pointed out some of the paragraphs of the case diary being Paras 9, 10, 14 & 50 and submitted that in course of investigation it has revealed that there were some disputes between the parties and, for that reason, the petitioner indulged in this act.

Considering the nature of allegations and the fact that the petitioner is seeking anticipatory bail, I am not inclined to exercise my discretion in favour of the petitioner. The prayer for anticipatory bail is refused.

In case the petitioner surrenders within a period of four weeks from today before the court below and prays for regular bail, his application may be considered by the court below on its own merit without being prejudiced by this order.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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