

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53131 of 2018

Arising Out of PS.Case No. -90 Year- 2018 Thana -NIMCHAKBATHANI District- GAYA

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Rajendra Prasad son of Late Kuldip Yadav resident of Village -
Bangathiya, P.S. - Nimchak Bathani, Dist - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 08-10-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Nimchak Bathani P.S. Case No. 90/2018 registered under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a teacher in a primary school and due to a land dispute he has been falsely implicated by his gotias. The allegation is that when the informant came out of his house to go to LIC office to deposit a sum of Rs. 50,000/- kept in his pocket, he saw that the petitioner was abusing his mother. On protest the petitioner came with lathi and assaulted him and took out Rs. 50,000/- from his pocket.



Learned counsel submits that the petitioner has only been framed in this case because he happens to be a teacher in primary school and on account of the case he is being sought to be harassed.

Learned Additional Public Prosecutor for the State is present.

Considering the facts and circumstances of the case, wherein the parties seems to be fighting over a land dispute and the submission of learned counsel for the petitioner is that the allegations are *prima facie* false and there being no material to support the allegation, in the event of his arrest/surrender before the court below within four weeks, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. – 10th, Gaya, in connection with Nimchak Bathani P.S. Case No. 90/2018, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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