

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4833 of 2018

Arising Out of PS. Case No.-202 Year-2017 Thana- BASANTPUR District- Siwan

Ramesh Sah, S/o Binda Sah, R/o Village- Rampur P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Shri Vijay Bardhan Pandey, Advocate
For the Opposite Party/s	:	Sri Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 23-03-2018 Heard Shri Vijay Bardhan Pandey, learned counsel for the petitioner and Shri Mithilesh Kumar Khare, learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Basantpur P.S. Case No. 202 of 2017 , registered for offence under Section 323, 324, 379, 307 and 34 of the Indian Penal Code , 1860 has prayed for grant of bail in the event of his arrest or surrender.

Learned counsel for the petitioner submits that the case has been initiated on the basis of complaint petition, which was filed on 03.04.2017 alleging therein that occurrence had taken place on 30.03.2017. The complaint was filed in the court of Chief Judicial Magistrate, Siwan which was referred to Police, and thereafter, the present F.I.R. was registered on 11.06.2017. Learned counsel for the petitioner submits that land dispute in



between the parties was going on and with a view to pressurize the present case was filed.

Learned Additional Public Prosecutor has opposed the prayer and submits that in the case there is also allegation against petitioner of assaulting by rod.

However, considering the fact that occurrence allegedly had taken place on 30.03.2017 whereas, complaint was filed belatedly on 03.04.2017 as well as the fact that land dispute was already there, the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Ramesh Sah be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan / concerned court in connection with Basantpur P.S. Case No. 202 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973

(Rakesh Kumar, J)

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