

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15285 of 2018

Arising Out of PS.Case No. -236 Year- 2017 Thana -BIRAUL District- DARBHANGA

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Nathuni Sahu @ Nathuni Sah S/o Late Buchai Sahu, R/o Village- Pokhram,
P.S.- Biraul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 09-04-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with Biraul Police Station Case No. 236 of 2017 registered for the offences punishable under sections 341, 323, 448, 354, 380 and 504/34 of the Indian Penal Code.

It has been submitted that the petitioner and informant are resident of same place and they are at litigating terms for the land which was purchased by the petitioner for which a Title Suit No. 63 of 2017 is pending in the court of Munsif-Biraul. It has been further submitted that for the said land dispute, occurrence took place and the petitioner has also lodged an FIR bearing Biraul P.S. Case No. 237 of 2017 against the informant and her family members. In the said occurrence, neither the informant nor her family members sustained any



injury.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the nature of allegation, case and counter case as well as land dispute between the parties, the prayer of anticipatory bail is allowed and the petitioner above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul Police Station Case No. 236 of 2017, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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