

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7109 of 2018

Arising Out of PS.Case No. -423 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA
=====

1. Azhar Ali, Son of Late Abdul Mannan,
2. Tanveer Alam, Son of Azhar Ali, Both resident of Village- Bansar, P.S.- K.Nagar (Sri Nagar), District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit
=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 15-02-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with K. Nagar (Sri Nagar) P.S. Case No.423 of 2017 registered for the offences punishable under Sections 341, 323, 386, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is a land dispute between the parties and because of the said land dispute only this case has been lodged by informant who is claiming ownership and possession over the disputed land. Learned counsel further submits that earlier also a similar kind of allegation was made against these petitioners in K.Nagar (Sri



Nagar) P.S. Case No.128 of 2017 dated 01.04.2017 under Sections 147, 148, 149, 341, 323, 384 and 504 of the Indian Penal Code in which the petitioners were granted anticipatory bail by the learned court below.

On the other hand, learned APP representing the State submits that from the allegations made in the written report giving rise to the present case it would appear that the informant has succeeded before the Deputy Collector Land Reforms as well as before the appellate authority in respect of the land in question. There is no order of restraint against the informant from going on the land and these petitioners are indulging in the alleged offence in order to restrain the informant from going on the land. It is further submitted that the petitioners seem to have got emboldened because of the anticipatory bail granted in the earlier case.

Considering the facts and circumstances particularly that from the FIR itself it appears that the informant has succeeded before the two authorities, still the petitioners are indulging in the alleged offence and as per the FIR these petitioners put rope in the neck of the informant and started pressing neck and threatened the informant except petitioner no.1, I am not inclined to grant anticipatory bail to the petitioners.



The application is dismissed.

(Rajeev Ranjan Prasad, J)

Arvind/-

U		T	
---	--	---	--

