

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73688 of 2018

Arising Out of PS. Case No.-203 Year-2018 Thana- CHANDI District- Nalanda

Jai Narayan Yadav, S/o Late Dumryad, R/o Village-Bhadurbigha P/S
Nagarnausa Distt.-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 188 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1984.

The accusation against the petitioner is that by cutting the ridge of the river he wanted to make agricultural land.

It is submitted by learned counsel for the petitioner that merely on suspicion, the accusation has been levelled and even assuming the accusation to be true, no offence under Section 188 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act is made out. A statement has been made in paragraph no.3 of the petition that the petitioner is



not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner.

Considering the accusation merely based on suspicion, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Hilsa, in connection with Chandi P.S. Case No.203/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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