

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30918 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -KHAGARIA District- KHAGARIA

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1. Shiv Kumar Sahni S/o Late Jamun Sahni, R/o Vill.- Gautara, P.S.-
Gangaur, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr. Sri Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 05-06-2018 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Khagaria (Gangaur) Police Station Case No. 112 of 2018, disclosing offences under Sections 341, 323, 387, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the dispute relates to a pond between the parties and for which several civil litigations have been going on between the parties, which is evident from Annexure-2, 3 and 4. Therefore, the petitioner may not be prosecuted further under criminal liability as the dispute between



them is civil in nature. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within 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 learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Gangaur) Police Station Case No. 112 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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