

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22226 of 2019

Arising Out of PS. Case No.-104 Year-2018 Thana- NATWAR District- Rohtas

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Brij Bihari Pandey Son of Late Ram Narayan Pandey, Resident of Village -
Milki, P.S.- Natwar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Choubey

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-04-2019 Heard both sides.

The petitioner apprehends his arrest in Natwar P.S.
Case No.104 of 2018 registered under Sections 448, 147, 323,
379, 354, 427, 506 of the Indian Penal Code and under Section
27 of the Arms Act.

The informant, who is a lady, alleged that the
petitioner and other accused persons came to grab the land of
the informant. The petitioner pointed a rifle on the informant
and also abused her. The petitioner snatched her ornaments.

Learned counsel for the petitioner submits that the
occurrence took place on 28.11.2018 but fardbeyan was given
on 03.12.2018. The petitioner was implicated in three criminal
cases but the petitioner has been acquitted in two criminal cases.
Only Natwar P.S. Case No.20 of 2017 is pending against the



petitioner. The same case was registered under bailable sections of the Indian Penal Code. It is further submitted that the petitioner also purchased the land from Ramjee Singh. The informant is alleged to have purchased the same land from the family member of Ramjee Singh. There is a land dispute on account of which the petitioner has falsely been implicated in the case.

Mr. Vikramdeo Singh, learned counsel appearing on behalf of the informant as well as learned A.P.P. submit that the petitioner is a muscleman of the area. He was an accused in murder case. Of course, he was acquitted but the petitioner purchased the litigation by purchasing the land from Ramjee Singh after about one year from the date of registration of the sale deed executed in favour of the informant.

Having considered the facts that the occurrence is said to have taken place on 28.11.2018 but fardbeyan was given on 03.12.2018 and the petitioner also purchased the land from co-sharer, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 C.J.M., Sasaram,
Rohtas in connection with Natwar P.S. Case No.104 of 2018,
subject to the conditions as laid down under Section 438 (2) of
the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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