

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34737 of 2019

Arising Out of PS. Case No.-238 Year-2017 Thana- PHULPARAS District- Madhubani

RAJ KAPOOR YADAV @ RAJ KUMAR YADAV Son of Jagdish Yadav
Resident of Village-Mahadewa, Police Station-Phulparas, District-
Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Phulparas P.S. Case NO. 238 of 2017, disclosing offences under Sections 379 and 427 of the Indian Penal Code.

The Circle Officer is the informant, who has alleged that the petitioner had cut down a tree from the Government land, which was found placed near the petitioner's land.

Learned counsel appearing on behalf of the petitioner submits that it is evident from the First Information Report that the same has been registered on the basis of a complaint made by one Shatrughan Prasad Sah with whom the petitioner has some dispute.

Learned counsel for the petitioner submits that it is in dispute as to whether the land from where the tree has



been cut down is petitioner's land or Government land.

Considering the above, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Additional Chief Judicial Magistrate-II, Jhanjharpur in the district of MKadhubani in Phulparas P.S. Case No. 238 of 2017 (G.R. NO. 1430 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

