

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36550 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- AMARPUR District- Banka

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SANJAY KUMAR ROY @ SANJAY KUMAR RAY @ SANJAY ROY S/o
Late Anuplal Roy R/O- Village- Ithari, P.S.- Fullidumar, District- Banka
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Amarpur (Fullidumar) P.S. Case No. 117 of 2019 registered for the offences punishable under Sections 341, 323, 353, 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner and the informant are next door neighbour and both of them are having some land dispute as according to the petitioner, the informant has forcibly grabbed the *parti* land situated in front of petitioner's house.

It is submitted that although there is allegation that the informant was assaulted but the fact is that no injury has been found on the person of the informant and there is no record of injury. It is submitted that the allegation of theft under Section



379 IPC and the allegation under Section 353 IPC are not even prima facie supported by any material.

Learned APP has opposed the prayer of anticipatory bail. It is, however, stated that in the petition the petitioner has made specific statement that there is no record of injury and the entire allegations of assault are false with intention to make the allegation serious.

Considering the facts and circumstances of the case whereunder the petitioner and the informant are said to be the next door neighbour having land dispute and that there is no record of injury as stated by the petitioner as also that the petitioner has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender in connection with Amarpur (Phullidumar) P.S. Case No. 117 of 2019 within four weeks from today be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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