

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50501 of 2019**

Arising Out of PS. Case No.-71 Year-2019 Thana- GHOGHARDIHA District- Madhubani

GAURAV KUMAR @ GAURAV KUMAR NAYAK Son of Ajay Nayak  
Resident of Village - Ghoghardiha, P.S.- Ghoghardiha, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      16-08-2019                      Let the supplementary affidavit filed on behalf of the  
petitioner be kept on the record.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Ghoghardiha P.S. Case No.71 of 2019/G.R. No.847 of  
2019 registered under Sections 341, 323, 353, 506, 307 and  
504/34 of the Indian Penal Code.

The accusation is that on the basis of the application  
of Urmila Devi in respect to the dispute relating to Plot  
No.171/2257 situated in village-Ghoghardiha, the informant  
being the Circle Officer of Ghoghardiha along with police  
personnel reached at the disputed place in village-Ghoghardiha



for inquiry. In course of inquiry, Abhishek Kumar and this petitioner, both sons of Ajay Nayak, started to abuse to all the administration and threw chilly powder and petrol upon the informant and police personnel and also made attempt to cause assault to them, due to that reason, there was stampede. At that time, this petitioner and Abhishek Kumar also gave threatening to the informant and other police personnel.

Learned counsel for the petitioner submits that the plot in question is situated in village-Ghoghardiha and the said plot was purchased by the father of the petitioner and his uncle through sale deed from Radhika Devi, wife of Hari Shankar Singh, on 22.06.2010. Thereafter, when Urmila Devi raised objection and called the Circle Officer Ghoghardiha and other police personnel, the petitioner and his brother Abhishek Kumar made protest and made claim over the disputed plot, showing the sale deed executed in favour of their father and uncle by Radhika Devi but due to ulterior motive, the petitioner and his brother have falsely been implicated in this case. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/-  
(Rupees Ten Thousand) with two sureties of the like amount  
each to the satisfaction of the Sub Divisional Judicial  
Magistrate, Jhanjharpur, District-Madhubani, in connection with  
Ghoghardiha P.S. Case No.71 of 2019/G.R. No.847 of 2019,  
subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

P.S./-

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