

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55053 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Rakesh Kumar Singh @ Rakesh Singh, S/o Lakhandev Singh Resident of
Panhas, P.S.- Lohiyanagar O.P. (Nagar), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Begusarai Town P.S. Case No.102 of 2019 for the offence
punishable under Sections 143, 323, 341, 354(A), 384, 427, 504,
506 of the Indian Penal Code.

The allegation against the petitioner as per the First
Information Report is that on 04.02.2019 while the informant
was getting work done on her land bearing Khata No.176,
Khesra No.1380 for the purpose of making construction of a
house, some person started creating hindrance in the
construction work and abused the informant. It has further been
alleged that on 22.02.2019 again the informant was present on
the aforesaid land for the purpose of monitoring the work, the



petitioner arrived at the land and assaulted and abused the informant and tried to outrage her modesty and also demanded a sum of Rs.10 lakhs as Rangdari from the informant.

Mr. Ranjan Kumar Jha, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute inasmuch as just prior to the alleged occurrence on 24.06.2018, Begusari P.S. Case No.360 of 2018 was lodged against the husband of the informant stating therein that the husband of the informant and other accused persons fraudulently sold the land belonging to the petitioner having khata No.176 Khesra No.1380. Learned counsel further submits that from perusal of the present FIR, it would be evident that the same land for which an FIR was lodged by the petitioner earlier against the husband of the informant is the subject matter of the First Information Report. Learned counsel thus submits that there is admitted land dispute between the parties and due to which the present false and concocted FIR has been lodged by the informant.

Learned counsel appearing for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner has demanded Rangdari of Rs.10 Lakhs and he does not deserve privilege of anticipatory bail.



After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there appears to be land dispute between the parties and the petitioner had also lodged FIR against the husband of the informant pertaining to the same land, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon 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, Begusarai, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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