

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57701 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- GOPALPUR District- West Champaran

Dilhasan Gaddi Son of Late Jangi Gaddi Resident of Village-Khap tola, P.S-
Gopalpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Gopalpur P.S. Case No. 87 of 2019, registered under Sections 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner, as per FIR, is that the petitioner along with others have forcibly captured *gairmajaruwa* land belonging to the informant and also threatened her that they will also grab her another land. It has further been alleged that on 09.06.2019, one tree had fallen due to the wind in the courtyard of the informant, on which she asked the petitioner and others to get it removed, upon which the petitioner and other accused persons assaulted the informant with fist and slaps, the petitioner also tried to outrage the



modesty of the informant.

Learned counsel for the petitioner submits that both the parties are agnate and co-sharers and the informant is wrongly claiming the *gairmajaruwa* land. He further submits that petitioner has falsely been implicated on the basis of concocted story due to land dispute between the parties.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are agnate and co-sharers and there appears to be land dispute between them, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 87 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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