

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68981 of 2019

Arising Out of PS. Case No.-511 Year-2017 Thana- MINAPUR District- Muzaffarpur

1. Nanipat Prasad, Son of Late Kaleshwar Prasad, Resident of Village-Kharahar, P.S.- Minapur, District- Muzaffarpur.
2. Pappu Kumar @ Pancho Kumar @ Papu Prasad, Son of Krishandeo Prasad, Resident of Village- Kharahar, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-11-2019 This is an application for grant of anticipatory bail in connection with Minapur P. S. Case No. 511 of 2017, disclosing offences under Sections 447, 341, 323, 324, 307, 436, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per F.I.R. petitioners and other accused persons started ploughing the land of the informant and petitioner no.2 was driving the tractor and petitioner no.1 is the order giver. It further appears that petitioner no.2 is accused in three other cases also.

Submission of the learned counsel for the petitioners is that there is land dispute between the parties. There is case and counter case between the parties and except that petitioner



no.1 is order giver and petitioner no.2 was driving the tractor, there was no other allegation against them.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioners on the ground that petitioner no.2 is accused in three other cases also.

Having heard both sides, considering the above submissions, so far as, petitioner no.1 is concerned, let the petitioner no.1, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur P. S. Case No. 511 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.2 is concerned, I am not inclined to grant privilege of anticipatory bail to him. However, he has to surrender and pray for regular bail before the learned court below, the same shall be considered on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is disposed of.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

U		T	
---	--	---	--



