

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67573 of 2019

Arising Out of PS. Case No.-708 Year-2019 Thana- KOTWALI District- Patna

1. Gagan Kumar @ Gagan, Son of Shri Muneshwar Prasad, Resident of Mohalla - Shivaji Nagar, P.S. - Digha, District - Patna.
2. Lalan Kumar @ Lalan, Son of Shri Muneshwar Prasad, Resident of Mohalla - Shivaji Nagar, P.S. - Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyavrat Verma, Advocate
For the Opposite Party/s	:	Mr. Amit Kumar, APP
For the Informant	:	Mr. Awadesh Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-12-2019 This is an application for grant of anticipatory bail in connection with Kotwali P. S. Case No. 708 of 2019, disclosing offences under Sections 451, 384, 386, 506 and 34 of the IPC.

Prosecution case is that the informant is the owner of the disputed property on the basis of the letter of Administration. She is a lady and when she was out at Pune residing with her daughter, petitioner forcibly entered inside the house, looted away the articles and open a garage.

Submission of the learned counsel for the petitioner is that the has been falsely implicated in this case. Petitioner was residing in out house from before and electricity connection is in his name and a notice was also issued by the Collector stating



that they were unauthorized of the occupation of the Khas Mahal property and as such, the present case has been filed only with a view to evict them from their possession. It has also been submitted that in the letter of Administration the detail of property does not find mentioned.

Heard learned A.P.P. also as well as learned counsel for the informant, who opposed the prayer for anticipatory bail on the ground that during the investigation it has come in the case diary that informant is the real owner of the house and petitioner has forcibly grabbed the property in her absence and looted away the articles also and admittedly they are not owner of the land.

Having heard both sides, considering the submissions, made above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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