

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5941 of 2020**

Arising Out of PS. Case No.-128 Year-2019 Thana- JALALGARH District- Purnia

SANTOSH YADAV Son of Bindeshwari Yadav Resident of Village-
Simariya, P.S.- Kasba, Distt- Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Jalalgarh P.S. Case No. 128 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 384, 385, 386, 427, 504, 506 IPC and 3(c) Indian Forest Act 1927.

Learned counsel for the petitioner submits that the petitioner is a member of the *Panchayat Samiti* and he had only gone to bring an amicable settlement between the parties, he has no role to play in cutting of the trees as alleged and the allegations have been made on account of land dispute between the co-sharers which is apparent on a bare reading of the First Information Report.



Learned APP for the State submits that the petitioner has participated forcibly purchasing the land of the informant and as such, he does not deserve the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case wherein, it appears from the First Information Report that the informant and his co-sharers are fighting on a piece of land which the informant claims to be in his possession for last 43 years, in the nature of the dispute alleged and there being no overt act alleged against the petitioner of committing any assault as also that two co-accused are said to have been granted privilege of anticipatory bail, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Jalalgarh P.S. Case No. 128 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

