

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12159 of 2020**

Arising Out of PS. Case No.-959 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

=====

SUMAN KUMAR Son of Shankar Sah Resident of Village-Simri Vasant, P.S-
Hathauri, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Ahiyapur P.S. Case No. 959 of 2017 registered under sections 147, 148, 149, 341, 323, 325, 406, 420, 379 and 504 of the Indian Penal Code.

As per allegation in the FIR, the dispute arose out of the accused persons not agreeing to transfer a plot of land to the informant. It is stated that pursuant to an agreement, the money was paid by the informant in installments and when only Rs. 50,000/- remained to be paid, the informant went to the house of the petitioners for getting the sale deed executed on paying the balance amount. It is further submitted that the land which was



the subject matter of sale, was being put to agricultural use by the accused persons and on the informant protesting, he was assaulted. It is further stated that Suman Kumar, the petitioner herein took out money from the pocket of the informant and also took away a gold chain.

It is submitted by learned counsel for the petitioner that there is case and counter case between the parties, the correct version having been stated in the FIR lodged by Manoj Kumar, which has been brought on record as Annexure-2 to the petition. It is further submitted that co-accused Manoj Kumar Sah, Ashok Kumar, Shankar Sah and Upendra Sah have been enlarged on anticipatory bail vide order dated 28.6.2018(Annexure-3) passed in Cr. Misc. No. 31297 of 2018. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case including grant of anticipatory bail to the other accused persons, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in



connection with Ahiyapur P.S. Case no. 959 of 2017, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Muzaffarpur subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

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

