

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57696 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- NIRMALI District- Supaul

Binod Kumar Choudhary @ Binod Choudhary, Son of Late Laxmi Choudhary
Resident of Village - Bahadurpur, P.S.-Bahadurpur and District- Darbhanga

... .. Petitioner

Versus

1.The State of Bihar
2. Md. Chand, S/o Md. Bashil, village-Nirmali, P.S.- Nirmali, Distt. Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 05-03-2020 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Nirmali P. S. Case No.76 of 2019 registered for the offences
punishable under Sections 341, 323, 379, 420, 467, 468, 471
and 34 of the I.P.C.

No one appears on behalf of the opposite party no.2 in
spite of service of notice upon him.

The accusation against the petitioner is that he along
with other accused assaulted the opposite party no.2 and also
snatched his money. Furthermore, it is alleged that petitioner
sold some land to several persons by different sale deeds.

Submission on behalf of the petitioner is that the



informant (opposite party no.2) has brought this false case on account of land dispute and as a matter of fact, the petitioner had purchased 45 Dhoores land of Khesra No.1150/ 645 and he sold the aforesaid land to some persons in piecemeal manner and as a matter of fact, the same land has never been sold.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Nirmali, Supaul in connection with Nirmali P. S. Case No.76 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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