

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79323 of 2019

Arising Out of PS. Case No.-546 Year-2019 Thana- MASAUDHI District- Patna

Vibhuti Kumar Vatsa @ Bibhuti Kumar @ Bibhuti Kumar Vats, Son of Arun Sharma, Resident of Village - Lakhibagh, P.s.- Masaurhi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr.Choubey Jawahar, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 504, 506, 147, 149, 384 and 385 of the Indian Penal Code.

The prosecution case, as per the written report of Avinash Chandra and others submitted to Station House Officer of Masaurhi Police Station, is to the effect that on 14.07.2019 at 2.00 P.M. co-accused Arun Singh called the informant and others and asked the informant to transfer the land situated at Tarpura otherwise came payment of Rs.Twenty Five lakhs and in case of non-payment the land in question was not allowed to plough. It is further alleged that on 19.07.2019 at 8.00 A.M. co-



accused Arun Singh and other accused persons including the petitioner came and made firing though none received injury.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled and no injury has been caused to anyone. Moreover, for the occurrence of 19.07.2019, the FIR has been lodged on 21.07.2019. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that the land in question is recorded in the revenue records in their name but the petitioner's side forcibly are not allowed them to cultivate the same.

Considering the rival submissions of the parties, it appears that the accusation has been arisen out of land dispute between the parties and admittedly, neither extortion has been paid nor injury has been caused to anyone, coupled with the statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, Ist Class,
Masaurhi in connection with Masaurhi P.S. Case No. 546 of
2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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