

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81549 of 2019

Arising Out of PS. Case No.-305 Year-2019 Thana- JOGAPATTI District- West Champaran

Sitaram Singh, Male, aged about 50 years, S/o Late Udit Narayan Singh,
Resident of Village- Semari Man, P.S.- Nawalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Yogapatti (Nawalpur) P.S. Case No. 305 of 2019 registered
for the offences punishable under Sections 341, 323, 384,
504/34 of the Indian Penal Code.

The prosecution case in short is that the informant
namely Chandra Bhushan Tiwary filed a written report on
16.08.2019 before S.H.O. of Nawalpur P.S. alleging that the
petitioner executed a sale deed in his favour regarding a land of
11 katha, 10 dhurs of Khata No.8285, Plot Nos.445, 446 and
447. The informant was cultivating the aforesaid land. It has
been further alleged that on 08.08.2019, when the informant
reached at his land, the petitioner along with his lathait came



there and demanded Rangdari of Rs.2 lacs and abused him. It has been further alleged that the petitioner asked him to execute a sale deed of the aforesaid land in his favour otherwise he will face dire consequence. On that basis, Yogapatti (Nawalpur) P.S. Case No.305/2019 was registered against the petitioner.

Learned counsel for the petitioner submits that the occurrence took place on 08.08.2019 and the F.I.R. has been lodged on 16.08.2019 after 8 days. There is no explanation regarding delay of 8 days. Learned counsel for the petitioner further submits that the petitioner has filed a Civil Suit No.189 of 2019 against the informant. Thereafter, the informant has lodged the present case. He further submits that there is a civil dispute between the parties.

Learned counsel for the informant submits that the petitioner has criminal antecedent, which is mentioned in paragraph-3 of the bail petition. He further submits that it is not a fit case for grant of anticipatory bail to the petitioner because three cases are pending against the petitioner.

Learned counsel for the petitioner submits that all the three cases are between the petitioner and his gotias.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest



or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah (West Champaran) in connection with Yogapatti (Nawalpur) P.S. Case No. 305 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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