

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84233 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- GWALPARA District- Madhepura

Roshan Kumar, aged about 30 years, Male, Son of Dinesh Yadav, Resident of Village- Chatara, P.S.- Gwalpara (Arar O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-06-2020 Heard learned counsel appearing on behalf of the petitioner and Mr. Shyam Kumar Singh, the learned Additional P.P. through video conferencing.

The petitioner apprehends his arrest in Gwalpara (Arar O.P.) P.S. Case No.78 of 2019, registered under Sections 147, 341, 323, 379, 385, 384, 506 and 34 of the Indian Penal Code.

Asha Devi, the informant alleged that she has got enmity with her cousin brother-in-law (Bhaisur), Amrendra Yadav from before. On 16.04.2019 at 10.30 A.M., the petitioner Roshan Kumar and other accused persons having armed with different weapons and firearms entered into the shop and house of the informant and took away cash and ornaments.

Learned counsel for the petitioner submits that the petitioner is innocent and in fact has committed no offence. The petitioner is co-sharer of the informant. On account of land dispute, the case has been lodged. No case under Sections 379 and



384 is made out. Similarly situated co-accused, Anugrah Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court on 05.09.2019 in Cr. Misc. No.41169 of 2019. The case of the petitioner stands almost on the same footing.

Taking into consideration the facts that it appears that the informant and the petitioner are co-sharer and on account of land dispute there is quarreling between the two sides and the outcome of such quarreling is institution of the present case and the fact that similarly situated co-accused Anugrah Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 the learned Judicial Magistrate, 1st Class, Madhepura in connection with Gwalpara (Arar O.P.) P.S. Case No.78 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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