

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12016 of 2021**

Arising Out of PS. Case No.-130 Year-2020 Thana- KURSAILA District- Katihar

Nagendra Kumar Singh @ Nagendra Singh, Son of Late Dhruv Narayan Singh, Resident of Village - Nawabganj Basa Tola, P.S.- Kursela, Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parmatma Singh, Son of Late Ram Nagina Singh, Resident of Village - Nawabganj Basa Tola, P.S.- Kursela, Distt.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Rajpati, Advocate.
For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kursela P.S. Case No. 130 of 2020, registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The accusation is that in the morning of 14.07.2020, petitioner was plucking the Jack-fruit from the tree situated at the ancestral land of the informant, Parmatma Singh. When the informant made protest then petitioner started to abuse and thereafter, went at his house and took country made pistol and caused injury at his head through butt of the pistol. Informant further claimed that before 20 years, petitioner had taken the



money to execute the sale deed of the same land but in spite of passing over 20 years, petitioner did not execute the sale deed in his favour.

Learned counsel for the petitioner submits that petitioner is the *Gotia* of the informant and due to land dispute, informant lodged the present case only to give undue pressure, so that petitioner may not claim over same land, on which, Jack-fruit tree is situated. Further submission is that petitioner has no criminal antecedent, except Complaint Case No. 1130 of 2019, which has been instituted by the informant of the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Kursela P.S. Case No. 130 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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