

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33803 of 2021

Arising Out of PS. Case No.-13 Year-2007 Thana- RAHIKA District- Madhubani

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DILIP SAH S/o- LATE MOTI SAH Resident of Mohalla- Ganj, Ward No.10,
P.S.- Madhubani Town, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2021 Heard Mr. Subhash Kumar Jha, learned counsel

for the petitioner and Mr. Akshay Lal Pandit, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Nagar (Rahika) @ Rahika P.S. Case No. 13 of 2007
registered for the offence punishable under Section 306/34
of the Indian Penal Code 1860.

The allegation in nutshell is that the petitioner
along with other accused persons grabbed the land of the
informant by raising boundry wall and also threatened the
husband and son of the informant, on account of which, the
informant's husband started living in the house of Ex-MLA
Ramchandra Yadav @ Netaji where he committed suicide.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused along with 10 accused persons. Learned counsel further submits that there is a *bona fide* land dispute between the petitioner and the informant. He next submits that the petitioner is in custody since 3.2.2021 having no criminal antecedent and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that there is a *bona fide* land dispute between the parties, the husband of the informant has committed suicide and there is no *prima facie* evidence that the petitioner had instigated him in commission of the suicide, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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 1st, Madhubani, in connection with Nagar (Rahika) @ Rahika P.S. Case No. 13 of 2007.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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