

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28398 of 2020

Arising Out of PS. Case No.-208 Year-2018 Thana- KISHANGANJ District- Kishanganj

Shambhu Kisku age about 36 years, Male, Son of Harba Kisku @ Harma Kisku, Resident of Village - Ward No.1, Chakala Ghat, P.S. and District - Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Diwakar Sinha, Advocate
For the Opposite Party : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Kishanganj P.S. Case No. 208 of 2018 for offences under Sections 341, 323, 353, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner belongs to the scheduled tribe category and land was settled in his favour and the informant (Circle Officer) wanted illegally to measure the said land of the petitioner. In this context, the dispute arose and the petitioner has been made accused in the present case.



Considering the fact that the petitioner was made accused in one other case i.e. Kishanganj P.S. Case No. 712 of 2018 for the same nature of the offence, the petitioner may not repeat any such criminal act in future failing which the court wishes to impose stringent conditions for bail. Accordingly, the Court is inclined to grant the privilege of anticipatory bail to the petitioner subject to the condition that the petitioner has to deposit Rs.25,000/- in cash. On depositing the amount of Rs.25,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 208 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.25,000/-(Rupees twenty five thousand) shall abide by final outcome of Kishanganj P.S. Case No. 208 of 2018.

(Anil Kumar Upadhyay, J)

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