

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28587 of 2020

Arising Out of PS. Case No.-383 Year-2019 Thana- SHIVSAGAR District- Rohtas

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1. AJAY KUMAR SINGH @ AJAY SINGH Son of Sumeshwar Singh
Resident of Village - Bamhaur, P.S.- Sheosagar, District - Rohtas
 2. Sanjay Singh Son of Sumeshwar Singh Resident of Village - Bamhaur, P.S.-
Sheosagar, District - Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-02-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners, in the present case, are seeking pre-arrest
bail in connection Sheosagar P.S. Case No. 383 of 2019
registered for the offence under Sections 353, 420, 406 and
379/34 of the Indian Penal Code.

As per the prosecution story, the Circle Officer,
Sheosagar submitted his written application on 02.12.2019
before S.H.O. Sheosagar Police Station that as per the order
passed by Sub-Divisional Officer, Sheosagar in Case No. 75 of
2017 under Section 145 Cr.P.C. he was appointed as receiver of
the disputed land. It is alleged that he received information by
the Chowkidar that the petitioners started cultivating the land in



complete disobedience of the order passed by the S.D.M. Sasaram. The informant inspected the land and directed the accused persons not to do so but they misbehaved with him and cultivated the land.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case due to land dispute, petitioners neither violated the order of the informant nor misbehaved with him.

Learned A.P.P. for the State has opposed the prayer for pre-arrest bail of the petitioners.

Having regard to the facts and circumstances of the case wherein it is alleged that the petitioners did not obey the order passed by the Sub-Divisional Officer, and despite direction not to cultivate the land they did not take care of the order of Circle Officer who was appointed as Receiver, they did not obey the direction of Circle Officer as well and indulged in cultivating the land and cutting of the crops as also that the Circle Officer is himself the informant who has alleged that these people did not obeying the orders and as they have got four criminal antecedent on their head, as stated in paragraph '3' of the application, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.



Prayer for anticipatory bail of the petitioners is, thus,
refused.

In case, the petitioners surrender and pray for regular
bail in the learned court below within a period of four weeks
from today, their prayer for regular bail shall be considered by
the learned court below on their own merit without being
prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

