

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3539 of 2022

Arising Out of PS. Case No.-41 Year-2020 Thana- DHAMDAHA District- Purnia

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LALU PASWAN @ LALO PASWAN SON OF YOGENDRA PASWAN R/O
VILLAGE- SARSWATI ASTHAN TOLA, DHAMDAHA NORTH, P.S.-
DHAMDAHA, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 386, 387, 452, 506 and 120(B) of the Indian Penal Code.

The informant alleges that he was being threatened by the accused persons for entering into an agreement in respect of his land and in that course he was intercepted in the way by Bittu Singh and the petitioner who snatched the keys of his motorcycle. It is next alleged that accused persons including the petitioner and 2-3 unknown persons arrived at the house of the informant and threatened the informant to abide by them.

Learned counsel for the petitioner submits that



petitioner has antecedent of seven cases. It is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that the dispute was related to land based on which a false case came to be instituted against the petitioner as he is friend of Parmanand Mandal who had purchased five decimal of land from Kailashpati Singh, who is uncle of the informant but the informant was not willing to part with the land which his uncle had sold and thus implicated Parmanand Mandal along with other accused persons. Learned counsel next submits that the date of occurrence is 15.07.2019 and the FIR came to be instituted on 04.03.2020 that is after a delay of more than eight months that in itself demonstrates the falsity of the allegation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of seven cases and then as submitted by the learned counsel for the petitioner that there is a dispute between Parmanand Mandal and the informant and this petitioner is friend of Parmanand Mandal and thus connived with Parmanand Mandal to help him in sorting out the dispute.

Considering the submissions made by the learned counsel for the petitioner, and the fact that there is an inordinate delay in instituting the FIR, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dhamdaha P.S. Case No. 41 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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