

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8611 of 2022**

Arising Out of PS. Case No.-188 Year-2020 Thana- KUSHESHWARASTHAN District-
Darbhanga

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VIKASH ROY @ BIKASH RAI SON OF UPENDRA ROY @ OPIN RAI
R/O VILLAGE- BERI, TOLE CHAKAN TOLI, P.S.- KUSHESHWAR
ASTHAN, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 504, 506/34 of the Indian Penal Code.

The informant alleges that her father-in-law has land and some parts of the land is used for breeding fish, on 21.06.2020 at 2 pm, the accused person, including the petitioner, gave poison to the fishes to which the informant and her daughter opposed thereafter, it is alleged that the accused persons assaulted the victims.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, the date of occurrence is



21.06.2020 and the F.I.R. has been instituted on 03.07.2020 i.e., after delay of more than 12 days without any plausible explanation. Learned counsel submits that the allegation of poisoning the fish is ornamental as there is nothing on record nor it has come during the course of investigation that the fishes were poisoned. It is next submitted that the land which the informant is claiming to be in the name of his father-in-law in reality belongs to the family of the petitioner for which Title Suit No. 101/2019 has also been filed in the court of learned Munshif Biroul for setting aside the entry and wrong *Kebala* of Samoli Roy and his wife i.e., father-in-law and mother-in-law of the informant.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kusheshwar



Ashthan P.S. Case No. 188 of 2020 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Gaurav-

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