

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34250 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- SHAHKUND District- Bhagalpur

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BHAGGO SAH @ GHANSHYAM SAH, age about 56 years, Sex-Male, Son
Of Late Narayan Sah, Resident of Village - Tahaval Nagar, P.S.- Shahkund,
Distt.- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party : Mr. Md. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Shahkund P.S. Case No. 34 of 2021 for the offence
registered under Sections 341, 323, 384, 379, 504 and 506/34 of
the I.P.C.

The prosecution story, in brief, is that on 01.11.2020
at about 10.00 A.M., Bhaggo Sah (petitioner) and his two sons,



namely, Vinit Sah and Priyes Sah and one other co-accused Golden Sah started to remove the boundary of the eastern part of the land of the informant having Khata Nos. 168, 174 and Plot Nos. 143, 144, area 80 decimal situated in Mauza Tahabalnagar and has encroached the eastern part of the land of the informant worth Rs. 3,00,000/-. When the informant went to object to this then the accused persons demanded extortion of Rs. 50,000/-. Thereafter, accused persons started to construct the house on the encroached land on 14.01.2021 when the informant tried to save them all accused persons abused and assaulted him and also snatched Rs. 300/- from his pocket and threatened her either to execute the sale deed in their favour or he will kill by them.

A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on the recorded.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail application, in light of the supplementary affidavit filed on behalf of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the F.I.R., it is evident that there is land dispute between the parties.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IInd, Bhagalpur in connection with Shahkund P.S. Case No. 34/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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