

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53637 of 2021

Arising Out of PS. Case No.-239 Year-2012 Thana- JAHANABAD District- Jehanabad

INDRADEO SINGH Son of Late Ragho Singh Resident of Village -
Dhithiya, P.s.- Jehanabad in the distt. of Jehanabad. At Present resident of
Mohalla - Krishnapuri, P.S.- Jehanabad in the distt. of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-07-2022 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, 447,
341, 323, 504, 506, 427 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 05.07.2012 at about 11:00 am, the petitioner
along with five named and 25 unknown accused came on his
land and started destroying vegetables by a tractor and when
informant objected, the accused persons abused and assaulted
him with fists and slaps. It is next alleged that petitioner and
Kamlesh Sharma took pipe of the petitioner worth Rs. 25,000/-



along with them and co-accused Arvind Verma also took plastic pipe worth Rs. 5,000/- and fled away from the place of occurrence.

Learned counsel for the petitioner, at the outset, submits that the petitioner has been falsely implicated in the present case on account of land dispute, it is submitted that the land did not belong to the informant and he was trying to illegally grab the same. It is next submitted that the police after investigation without resorting to any coercive measure submitted charge-sheet in a mechanical manner in pursuance whereof cognizance has been taken. Learned counsel further submits that the very fact that the police throughout the investigation never made any endeavor to arrest the petitioner and filed charge-sheet that in itself demonstrates that the presence of petitioner for investigation or for any other purpose would not be required, it is next submitted that from perusal of the allegation it would also manifest that no injury has been caused to anyone and the allegation of theft is ornamental in nature.

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 Jehanabad P.S. Case No. 239 of 2012 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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