

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49176 of 2022

Arising Out of PS. Case No.-170 Year-2020 Thana- TELHARA District- Nalanda

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AJAY PRASAD @ AJAY KUMAR S/O LATE RAMJEE PRASAD Resident
of village- Daulata, P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., petitioner is alleged to have taken away jewellery of Rs. Three lacs from the house of informant.

It is submitted on behalf of petitioner that there is case and counter case. Both parties are own gotiya. The case filed from the petitioner's side is earlier in point of time. Both sides sustained injury. Admittedly, there is land dispute between the parties. So far as this petitioner is concerned, there is no overt act against him and allegation of taking away ornaments is only ornamental with a view to make the offence grave.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Hilsa, Nalanda in connection with Telhara P.S. Case No. 170 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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