

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64280 of 2021**

Arising Out of PS. Case No.-152 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

Rakesh Chaudhary @ Rakesh Ranjan S/o Ram Anuj Choudhary Resident of
Village- Deogan, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Bochahan P.S.
Case No. 152 of 2021, registered for the offences punishable
under Sections 188, 341, 323, 353, 120(B) of the Indian Penal
Code.

Prosecution case in brief is that on 04.03.2021, the
informant along with local police went to remove
encroachment, this petitioner along with ladies and children
having lathi, danda encircled them due to which the
encroachment could not be removed and they returned back.

It is submitted that petitioner has been falsely
implicated in this case. There is case and counter case. The plot
on which the encroachment drive was scheduled is of the



petitioner for which a civil suit bearing Title Suit No. 259 of 2021 is pending before the Court of Sub-Judge, East, Muzaffarpur. There is no allegation of any overt act against petitioner. Petitioner has got clean antecedent.

Considering the facts aforesaid and the nature of dispute, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Judicial Magistrate Ist Class, Muzaffarpur in connection with Bochahan P.S. Case No. 152 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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