

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.739 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- JAYNAGAR District- Madhubani

PANKAJ PODDAR Son of Ravindra Poddar Resident of Village - Patna
Gaddi Road, Jaynagar, Ward no.2, P.S.- Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner, and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 354(B), 504/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted



that both sides are neighbour and there is an admitted land dispute between the parties. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties, and the injuries are simple in nature. The petitioner has got 10 criminal antecedents.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is land dispute and between the parties and the injuries are simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Jaynagar P.S Case No. 177 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also the following conditions.

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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