

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9386 of 2023

Arising Out of PS. Case No.-571 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Ajay Mandal S/O Shri Parmanand Mandal R/O Village- Raghopur, P.S-
Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 21-04-2023 1. Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Nath-Nagar P.S. Case No. 571 of 2022 dated 01.08.2022 registered for the offences punishable under Sections 448, 353, 384, 327, 467 and 468 of the Indian Penal Code.
4. The main submissions advanced by learned counsel for petitioner are that the allegations levelled in the FIR are totally false, infact petitioner and informant are co-villagers and admittedly in between them a land dispute is running and in this regard a title suit bearing T.S. No. 115 of 2018 is also pending in

between them and earlier the petitioner moved this Court by way of CWJC No. 25725 of 2019 which was disposed of on 06.01.2020 with a direction to the respondent to dispose of mutation application of the petitioner related to several land which was settled to the grand father of the petitioner, thereafter petitioner filed an application on 31.12.2020 with a prayer to remove the encroachment over the land, due to which several cases have been lodged against him and petitioner belongs to a labour class and has been languishing in jail since 16.10.2022.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions and mainly the facts mentioned in paragraph nos. 8, 9 and 10 of the petition and also petitioner's custody period and nature of allegation, in my opinion, petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named above 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 concerned Court in connection with Nath-Nagar P.S. Case No. 571 of 2022.

(Shailendra Singh, J)

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