

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27888 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- AANDAR District- Siwan

Rajendra Singh, Son of Late Shyambihari Singh, Resident of Village-Tiyay,
P.S.Andar, District-Siwan, Bihar, PIN-841231

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Venkatesh Kirti, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Andar P.S. Case No.19 of 2023 registered for the offences punishable under Sections 341, 323, 353, 307 and 34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

As per the prosecution story, the informant Bir Bahadur Singh, ASI, Andar police station and other police personnel on the application of one Sudhanshu Shekhar Singh reached at village Titayn for inspection of disputed land and saw that the petitioner and other accused persons were erecting a palani on a wheat field at about 2.30 PM. It is alleged that when the informant told the accused persons not to erect the palani,



then they became furious and attacked the informant and other police personnel by means of lathi. It is further alleged that the accused persons started snatching the rifles from the informant and other police personnel due to which they received serious injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that a Title Suit being Title Suit No.2031 of 2022 was pending between the parties in the court of learned Sub Judge-III, Siwan in respect of a piece of land and the police party had no reason to go on the land at the instance of one of the parties for alleged inspection without there being any order of the court. It is submitted that the injuries are found to be simple in nature.

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

Having regard to the facts and circumstances of the case, noticing that a Title Suit being Title Suit No.2031 of 2022 was pending between the parties in the court of learned Sub Judge-III, Siwan in respect of a piece of land and that the police party had no reason to go on the land at the instance of one of the parties for alleged inspection without there being any order



of the court and further noticing that the injuries are simple in nature, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Andar P.S. Case No. 19 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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