

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30968 of 2023

Arising Out of PS. Case No.-199 Year-2014 Thana- BAGHA District- West Champaran

AMIT KUMAR Son of Rakesh Prasad Das Resident of village - Bagaha Bazar near Sai Mandir ward no. 28, Bagaha -1, P.S. - Bagaha, Distt. - West Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Bagaha P.S. Case No. 199 of 2014, Trial No. 761/2014, registered for the offences punishable under Sections 420, 467 and 468 of the Indian Penal Code.
3. The allegation is regarding the accused persons including the petitioner herein having conspired with the circle employee/Revenue Clerk of the circle in question and having got rent receipt issued in the name of the petitioner, qua a portion of the land of the informant.
4. The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the dispute in question can at best, be stated to be in the nature of civil dispute, hence no criminal offence is made out.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials on record as also considering the fact that the allegation levelled in the present case prima facie appears to be in the nature of civil dispute, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above



named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vth, Bettiah, West Champaran in connection with Bagaha P.S. Case No. 199 of 2014, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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