

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52446 of 2023

Arising Out of PS. Case No.-377 Year-2014 Thana- TEGHRHA District- Begusarai

AJIT KUMAR SON OF ARBIND KUMAR RESIDENT OF VILLAGE-
PIDHAULI, PS- TEGHRA, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No. 377 of 2014 registered for the offences punishable under Sections 147, 148, 149, 323, 342, 379, 385, 387, 504, 506 of I.P.C. and Section 27 of the Arms act.

3. As per prosecution case, informant and other went to plough his field and in the meantime, petitioner and others armed with rifle, pistol and other weapon came there and told that if they will give ransom of Rs. 1,00,000/- per year then they can plough their field. Upon objection, petitioner and others while abusing and firing, assaulted them. It is further alleged that petitioner and others snatched fertilizers and seed worth Rs. 20,000/-, gold chain worth Rs. 30,000/-, gold ring



worth Rs. 15,000/-, cash of Rs. 15,000/- and three mobile phones from the informant and others. It is further alleged that two tractors were also in custody of petitioner and others.

4. Learned counsel for the petitioner submits that police after investigation submitted final form as lack of evidence but the learned court has taken cognizance under Sections 147, 148, 149, 323, 342, 379, 385, 504, 526 of I.P.C. and Section 27 of the Arms Act against the petitioner and others and when on 19.05.2023 bailable warrant was issued by the concerned court then petitioner has filed anticipatory bail. Learned counsel for the petitioner further submits that there is bona fide land dispute pending between the parties and the land in question was possessed by the petitioner and informant tried to capture the said land resulting the alleged occurrence. In the cases of land dispute, facts are generally exaggerated to frame the allegation against the persons who were associated with bona fide land dispute. He further submits that the allegation against the petitioner is general and omnibus in nature. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the



prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Teghra at Begusarai in connection with Teghra P.S. Case No. 377 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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