

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57321 of 2023**

Arising Out of PS. Case No.-287 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

MILAN KUMAR SINGH @ MANTU SINGH son of Sikandra Singh R/o-
Jyoti Bihar Sabour Road Ps- Sabour Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Senior Advocate
Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 11-10-2023 Heard Mr. Rajesh Kumar Singh, learned senior counsel assisted by Mr. Sunil Kumar Singh for the petitioner and Mr. Nagendra Prasad, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 & 506 of the Indian Penal Code.

3. The allegation against the petitioner is that he made repeated attempt to dash the car of the informant but he escaped unhurt.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. Both the parties are close agnates and a partition dispute is going on



between them. There is inordinate and abnormal delay of 23 days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. During course of arguments, learned senior counsel submits that petitioner has two criminal antecedents and out of two in one case the petitioner has been acquitted and in another case final form has been submitted.

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

6. Having regard to the facts and circumstances of the case, 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 Kotwali (Tilkamanjhi) P.S. Case No. 287 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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