

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59276 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- CIVIL LINE District- Gaya

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Jitendra Pratap Singh, Male, aged about 57 years, Son of Late Basudev Narayan Singh, Resident of Village- Bodhgaya Bhagwanpur, P.S. Bodhgaya, District- Gaya, Pin-824231.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Ajit Kumar, learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Civil Lines P.S. Case No. 257 of 2023, registered for the offence punishable under Sections 147,149, 420, 467, 468, 471, 456, 427 and 379 of the Indian Penal Code.

3. The police on an information that some miscreants are indulge in demolishing the boundary wall of the government high school raided the place of occurrence and found that earth filling was going on and boundary wall of the school was broken. The driver of the tractor and the JCB were apprehended by the police and in course of interrogation they have disclosed



that the petitioner is one of the persons in whose favour an agreement has been executed in connection with the land. Specific allegation has been levelled against co-accused Sudhir Kumar Singh @ Sudhir Singh on whose direction the earth filling was going on.

4. Learned counsel appearing on behalf of the petitioner submits that there is land dispute with regard to the property in question and in fact the land in question which is claimed to be the property of the school is not the truth rather it is otherwise, as has been explained in the bail application. He next submitted that so far the demolition of the boundary wall of the school is concerned, the same has already been repaired and the gate of the school has also been fixed at the behest of Sudhir Kumar Singh @ Sudhir Singh, who has also been allowed bail by learned co-ordinate Bench of this Court in Cr. Misc. No. 38434 of 2023 by order dated 17.08.2023. He lastly submits that the petitioner is accused in one another case under the Negotiable Instrument Act but in the said case he is already on bail. The petitioner undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the petitioner has



demolished the building of the school forcibly.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of dispute and the fact that co-accused persons having identical allegation in the FIR has been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court, let the petitioner above- named be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Civil Lines P.S. Case No. 257 of 2023, subject to the conditions laid down in Section 438 (2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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