

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61938 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- RAJIVNAGAR District- Patna

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DULARCHAND SAH @ DULARCHAN SAO Son of Late Prasad Sah
Resident of Indrapuri Road, P.S.- Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Rajeev Nagar P.S. Case No.96 of 2022, registered for the offences punishable under Sections 420, 467, 468, 470, 471 of the Indian Penal Code and Section 3 of Damage to Public Property Act.

The prosecution case, in brief, is that on 07.03.2022 when the informant was on routine mobile checking, he found that the construction work was being done on the acquired land of Housing Board. The people started fleeing away after seeing the police and one person was caught at the spot who disclosed the name of the petitioner and said that on instruction of petitioner, the construction work was being done.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the said land does not belong to the petitioner. The petitioner is made accused in the present case on the basis of confessional statement of the co-accused who was apprehended at the spot. It is submitted that the land belongs to Housing Board.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J)

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