

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68885 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- SHIVSAGAR District- Rohtas

1. SANJAY SINGH SON OF LATE SOMESHWAR SINGH @ SUMESHWAR SINGH RESIDENT OF VILLAGE- BAMHAUR, PS- SHEOSAGAR, DIST- ROHTAS
2. KRISHNA SINGH SON OF SHRI RAM CHANDRA SINGH RESIDENT OF VILLAGE- BAMHAUR, PS- SHEOSAGAR, DIST- ROHTAS
3. AJAY SINGH SON OF SHRI BALIRAM SINGH RESIDENT OF VILLAGE- BAMHAUR, PS- SHEOSAGAR, DIST- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sheosagar PS case no. 261 of 2022, disclosing offences punishable under Section 379 and other allied sections of the Indian Penal Code and Section 27 of Arms Act.
3. The prosecution story, as per the Complaint-cum-First Information Report, is that the petitioners had allegedly entered into the land of the complainant/ informant and forcibly harvested/ cut the paddy crops standing there.
4. Learned Senior Counsel for the petitioners submits that false and fabricated complaint/F.I.R. has been lodged by the



informant due to previous land dispute between the parties. Learned Senior counsel further contended that in complaint, date of occurrence is 22.12.2021 at about 3 pm but prior to lodging of present complaint-cum-FIR, on the basis of similar allegation, another complaint/ F.I.R. had been lodged by the same informant having date of occurrence as 22.10.2021 at about 3 pm, as such, it is submitted that if the first complaint/ FIR is true, the paddy crop cannot be harvested within two months from the date of first complaint/ FIR, lodged by the informant.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the submissions advanced by the learned counsel for the petitioner and considering the fact that two FIRs have the date of occurrence within 02 months, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sasaram in connection with



Sheosagar PS case no. 261 of 2022, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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