

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65876 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- DHAMDAHA District- Purnia

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BABUL KUMAR RAI @ BABLOO SON OF YOGENDRA RAI R/O VILL -
GAURIPUR PARSA ,P.S. (RAGHUBANSH NAGAR) BARHARA KOTHI,
DISTRICT PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dhamdaha P.S. Case no.167 of 2023 registered under sections 307, 147, 148, 149, 323, 341, 427, 386, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that they are in possession of the disputed land for which Title Suit no.50 of 1994 is also pending between the parties. On the date of occurrence, the petitioner along with 25-30 others came to the disputed land, assaulted and fired in the air and were forcibly encircling the land by making temporary constructions. The informant states that he apprehends that some occurrence



may take place.

4. Learned counsel for the petitioner submits that the allegations in the F.I.R. are false and concocted, the reason being land dispute for which title suit as stated in the F.I.R. is already pending between the parties. From the contents of the F.I.R., it appears that no person was injured. The petitioner is in custody since 2.8.2023 and co-accused Aniket Kumar Jaiswal has been enlarged on bail vide order dated 11.10.2023 passed in Cr. Misc. no.64198 of 2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioner in the F.I.R., the petitioner having remained in custody since 2.8.2023 and grant of bail to the above named co-accused, the Court directs the petitioner to be enlarged on bail in connection with Dhamdaha P.S. Case no.167 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea.

(Partha Sarthy, J)

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