

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65043 of 2022

Arising Out of PS. Case No.-361 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Anand Ranjan Sharma S/o Late Hari Shankar Sharma R/o Village- Nimuiya,
P.S.- Ghorasahan, Distt- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Ghorasahan P.S. Case No. 361 of
2022, registered for the offences under Sections 341, 323, 379,
406, 420, 504, 506 of the Indian Penal Code.

As per prosecution case, the informant is the mother
of the petitioner and her case is that there has been partition
between her and her sons. However, the petitioner, who is elder
son of the informant, sold her share of land to a 3rd party and
also misbehaved with her and took her gold chain and gold
bangles worth Rs,1,50,000/-.

Learned counsel for the petitioner submits that from



the FIR, it is clear that the dispute is only with regard to boundary and this fact is apparent from the FIR itself. In fact, the petitioner has sold the land of his own share and the share of informant has been shown in the western side but the informant at the instance of her younger son with whom she has been residing, has claimed that her share has been sold by the petitioner. The share of informant is intact and has been shown in the boundary towards western side and the same is being objected by the informant. It is a not a case of grabbing of land rather it is a case of only location with regard to the land. Moreover, the dispute is civil in nature. The allegation about snatching of gold ornaments is ornamental and has been made only to make the allegation serious.

Learned APP opposes the prayer for anticipatory bail submitting that there is allegation against the petitioner that he sold the land of his mother and also snatched her gold ornaments.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the civil nature of dispute, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail,



on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court in connection with Ghorasahan P.S. Case No. 361 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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