

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75728 of 2023

Arising Out of PS. Case No.-716 Year-2022 Thana- BARHARA District- Bhojpur

RAM CHANDRA SINGH Son of Late Sheo Kumar Singh Resident of
Village-Parariya, P.S.-Barahara, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BARAHARA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Barahar P.S. Case No. 716 of 2022 dated 13.10.2022 registered for the offences punishable u/ss 447, 420, 467, 468, 469 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have illegally encroached the land of P.W.D. Bhojpur along with 80-90 square feet of the informant's land which is part of plot no. 1376 and 1977 situated in front of the land of P.W.D. Bhojpur. They have also constructed two shops on the said land. It is further alleged that when the informant came to know about the said illegal



encroachment, he and his family members made several request to remove the shop from his land but the petitioner and his son abused and threatened the informant of dire consequences. It is further alleged that the informant has given several applications before authorities to get remove the encroachment made by the accused persons but no action has been taken till now.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner and the informant are co-villagers, there is admitted land dispute and pending being Title Suit No. 527/2022 against the informant filed by the son of the petitioner namely Sanjeev Kumar Singh is pending. Learned counsel has further submitted that the petitioner has falsely implicated in this case because he happens to be father of the co-accused namely Sanjeev Kumar Singh. It is further submitted that the petitioner has no concern with the alleged offence hence no case is made out against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur at Ara in connection with Barahar P.S. Case No. 716 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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