

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75251 of 2022

Arising Out of PS. Case No.-56 Year-2017 Thana- KASHICHAK District- Nawada

MUNNA KUMAR Son of Nawal Singh R/V- Devan Bigha, P.S- Kashichak
(Shahpur) Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 188, 153(a), 353, 177, 34 of the Indian Penal Code.

Allegedly, petitioner was trying to make a boundary wall around the statue of Hanuman Ji on the land of Anawad Bihar Sarkar with a view to grab the said land by disobeying the government order.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that from the perusal of FIR, it is evident that petitioner does not want to construct the boundary for personal use rather boundary wall of Hanumanji



Mandir was constructing by general public. Petitioner has no concern with the alleged piece of land. Six persons of his village are claiming possession on the aforesaid piece of land for which a T.S. No. 43 of 2010 has also been filed. He further submits that petitioner is enjoying the benefit of Section 41-A of the Cr.P.C. as the police has filed charge sheet under Sections 188 & 353 of the Indian Penal Code against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the charge sheet has already been submitted against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kashichak (Shahpur) P.S. Case No. 56 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

