

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20557 of 2024

Arising Out of PS. Case No.-1725 Year-2011 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SHYAM SAH @ SHYAM KUMAR S/O VIJAY SAH @ VIJAY PRAKASH
SAH R/O MOHALLA- CHATTI ROAD, (MIYAN CHAK), WARD NO.-22,
P.S- TOWN, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. CHITRADEO PODDAR S/O LATE RAM KHELAWAN PODDAR R/O
MOHALLA- CHATTI ROAD (MIYAN CHAK), WARD NO.-22, P.S-
TOWN, DISTT.- BEGUSARAI.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP
For Opposite Party No.2 :		N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 20-08-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a complaint
case registered for the offences punishable under Sections 147,
148, 149, 323, 307, 341, 379, 386 and 504 of the Indian Penal
Code and Section 27 of the Arms Act.

4. As per prosecution case, this petitioner is alleged to
have threatened the complainant on the point of pistol.



5. It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. As a matter of fact, there is admitted land dispute between the parties for which a title suit bearing Title Suit No. 18 of 2008 is pending between them, which was earlier filed by the complainant. Moreover, the complaint case has been lodged after inordinate delay of 21 days and there is no plausible explanation for the same. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 01.03.2021 passed in Cr. Misc. No. 30211 of 2020.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, nature of accusation and delay in lodging of the complaint case, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st,



Begusarai, in connection with Complaint Case No. 1725C of 2011, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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