

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25430 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- DHAKA District- East Champaran

Raj Kumar Singh Son of Siyaram Singh Resident of Village- Sarupa, P.S.
Dhaka, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Dhaka P.S. Case No. 251 of 2023 lodged on 14.05.2023 for the offences punishable under Sections 447, 341, 323, 324, 504, 354(B), 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner against whom there is an allegation that they have surrounded the informant and started abusing and upon oppose, the accused persons uprooted the shed of the informant and thereafter took away articles of the informant kept in the shed and when the informant prevented them to do so, then the accused persons attacked the informant and others with a knife blow due to



which injury took place. Subsequently, on the next day again, all the accused persons abused and assaulted the informant and threatened him to vacate the disputed land.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the criminal antecedent of the petitioner is not clean and there are three criminal cases pending against him in which he is on bail. Counsel further submits that from the contents of the FIR, it is very much clear that due to land dispute, the occurrence took place. Counsel also submits that father of the petitioner filed Title Suit No.653/2020 which is pending before the learned Court below against the informant and others.

5. Learned counsel for the petitioner further submits that for the same date and place of occurrence, case and counter case has been filed. From the informant's side, Dhaka P.S. Case No. 251 of 2023 has been lodged and from the petitioner's side, Dhaka P.S. Case No. 267 of 2023 has been lodged. Counsel further submits that both the informant and the petitioner's family are well known to each other but due to land dispute, the entire thing occurred. Counsel also submits that it is not the petitioner who has visited to the land of others, rather, it is the



informant’ side who has reached on the land of the petitioner and in oppose by him, the entire occurrence took place.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be granted bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dhaka, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J.)

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