

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27015 of 2024

Arising Out of PS. Case No.-124 Year-2023 Thana- JANKINAGAR District- Purnia

Chandra Sekhar Roy @ Chandra Shekher Kumar Roy @ Chandra Shekhar Kumar Roy S/O Late Ram Narayan Roy R/O Bhangha Tola, Ward No.-04, P.S- Bikothi, Distt.- Purnia. Currently Residing At Bishal Kunj, Flat No. 17, Road No. 4, Kazipur, Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

6 29-11-2024 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 447, 354, 379, 504 and 506/34 of the Indian Penal Code.

As per allegation in the FIR, the petitioner and other co-accused persons were forcibly cutting mango tree and the said land is in possession of the father-in-law of the informant for 30 years and when the informant refused him, the petitioner and co-accused persons started abusing her with kicks, fists and slaps.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that the incident took place on 11.06.2023 and the FIR was lodged on 14.06.2023, i.e., after lapse of three days which reflects that the name of the petitioner dragged in the instant case on second thought and the presence of the petitioner at the place of occurrence is false and seems to be manipulative as stated in para-10 of the petition. He next submits that the entire allegation in the FIR with respect to the instant petitioner is omnibus and general. He next submits that the petitioner has got clean antecedent as stated in para-3 of the petition.

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

On considering the material available on record and submissions of learned counsel for the petitioner that the petitioner has got clean antecedent, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with Jankinagar P.S. Case No. 124 of 2023, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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