

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36406 of 2024

Arising Out of PS. Case No.-315 Year-2023 Thana- ALAMNAGAR District- Madhepura

Bibha Devi Wife of Late Amrendra Jha R/O Vill.- Alamnagar South Ward no.
10, P.S.- Alamnagar, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Mr. Manoj Kumar, Advocate Mrs. Pooja Prasad, Advocate
For the Opposite Party/s :		Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Alamnagar P.S. Case No. 315 of 2023 registered on 28.11.2023 for the alleged offences under Section 341, 323, 353, 188, 504, 506 and 34 of the Indian Penal Code.

03. As per prosecution case, the written report was given by Sub-Divisional Agriculture Officer against the petitioner and co-accused Lakhan Pandit that they encroached upon the Government land of Agriculture Department and they forcibly ploughed the said land. When the officials forbade them from doing so, the petitioner misbehaved with them and threatened them with false implication.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is clear that no details of the land has been given. Government authorities forcibly want to capture the *raiyati* land of the petitioners and the land does not belong to the informant. The land in question has been recorded in the name of the ancestors of the petitioner in the revenue records. A Title Suit bearing no. 32 of 2022 has been filed before the learned Civil Judge, Senior Division, Udakishunganj against Block Agriculture Officer, Alamnagar and other officials for the land against which the claim is made by the Government. Learned counsel further submits that the petitioner is a widow lady and she is having antecedent of one more case but the said case has also been filed by the officials.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and the possibility of false implication in the background of land dispute, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction



of Court of learned J.M.-1st Class, Udakishunganj, Madhepura in connection with Alamnagar P.S. Case No. 315 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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