

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52902 of 2024
Arising Out of PS. Case No.-317 Year-2023 Thana- BALIYA District-
Begusarai

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Bhola Singh, S/o Late Nand Kishor Singh, R/o Village- Sadanandpur Ward
No. 7, P.S- Ballia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Balua P.S. Case No. 317 of 2023, instituted under Sections 341, 323,
324, 504, 384, 506, 379/ 34 of the Indian Penal Code.

3. As per the prosecution case, on the date of occurrence
while informant was ploughing his land petitioner along with F.I.R.
named accused persons came there armed with weapons and started
abusing and assaulting the informant. The allegation against the
petitioner is that he assaulted the informant with the butt of the pistol
causing injury on his head and demanded extortion money of Rs. 2
lacs.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to land dispute
between the parties. He further submits that petitioner and the seller
of the land are own Gotia and title suit is pending between the parties



and question of demanding any rangdari from the informant is an after thought. There is delay of eight days in filing of FIR without any plausible explanation. It is further submitted that similarly situated co-accused have already been granted anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 39072 of 2024. Petitioner has two criminal antecedents. Petitioner undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Balia P.S. Case No. 317 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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