

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50728 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- KONCH District- Gaya

Sushil Kumar @ Soshil Kumar son of Subodh Paswan Village- Digghi Ps-
Guraru Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar , Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App 84)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 379, 354 (b) and 506 of
the Indian Penal Code .

3. As per the prosecution case , on the alleged date
and time of occurrence , petitioner along with other co-accused
persons entered into the house of informant caught his wife
and tore her blouse and took out Rs. 2500/- from the box .

4. Learned counsel for the petitioner submits that both
parties are next door neighbour and due to land dispute this
petitioner has been made accused in this case . F.I.R., has been
lodged after the delay of two years for which there is no
plausible explanation which itself creates the entire prosecution



case doubtful. As a matter of fact, a scuffle took place between children of both parties and taking advantage of the situation , this false and concocted case has been lodged.

5. Learned counsel for the State opposed the bail petition of the petitioner.

6. Considering the inordinate delay in lodging F.I.R. and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned ACJM Gaya in connection with Konch P.S. case No. 171 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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