

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62171 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- RAJPUR District- Buxar

1. Angad Narayan Choubey @ Angad Choubey S/O Late Kailash Choubey R/o vill - Sainthu, P.S. - Rajpur, Distt. - Buxar
2. Ganesh Choubey S/o Late Kailash Choubey R/o vill - Sainthu, P.S. - Rajpur, Distt. - Buxar
3. Abhimanyu Kumar Choubey @ Abhimanyu Choubey S/o Ganesh Choubey R/o vill - Sainthu, P.S. - Rajpur, Distt. - Buxar
4. Mahendra Ram S/o Vishwanath Ram R/o vill - Jamouli, P.S. - Rajpur, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Informant : Mr. Anand Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2024 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rajpur Police Station Case No. 222 of 2024, disclosing offences under Sections 191(3), 190, 126(2), 115(2), 308(5), 308(2), 308(4) and 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per First Information Report, the informant claims to be the owner of a piece of land situated in Thana No.-132, Chak Khata No.-24, Khesra No.-19, 87 having an of Area-



14.01 Acre. It is alleged that the informant is paying rent for the said land, the Jamabandi of the same was created in the name of his father. On 14.07.2024, petitioners along with other accused-persons arrived at the land of the informant with arms and ammunition and started ploughing the land with a tractor. The co-accused Sanjay Ram pointed rifle at the informant and also called some anti-social elements and on the gun point he continued to plough the land in question.

4. Learned Counsel for the petitioners submit that the petitioners have falsely been implicated in the present case due to land dispute. While referring to Annexure-P2 Series, learned Counsel submits that the land has been mutated in favour of petitioner no. 2 and the Sarpanch has also issued certificate regarding the ownership of the land in favour of the petitioners. Specific allegation of pointing the rifle has been made upon co-accused Sanjay Ram who is not a petitioner. The allegation against the petitioners is general and omnibus in nature.

5. On the other hand, learned Additional Public Prosecutor opposed the prayer for bail and submits that the petitioners along with other co-accused persons entered into the land of the informant and on gun point started ploughing the



land.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that there appears to be a land dispute and both the sides are claiming ownership of the land, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four 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 Chief Judicial Magistrate, Buxar in connection with Rajpur Police Station Case No. 222 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J.)

Jyoti Kumari/-

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