

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66268 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Shambhu Prasad S/o Jagarnath Prasad R/o Mohalla- Bhawanipur Zirat, P.S.-
Chhatauni, P.O.- Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 188, 147, 327/34 of the
Indian Penal Code.

3. Allegation against petitioner is of illegal
construction of wall without obtaining permission of the
concerned authority.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Petitioner
is owner of Shop No. 79 which was settled with his great
grandfather and since then the same has been in possession of
the family of petitioner. Joint report of Halka Karamchari and
Anchal Amin shows that petitioner is running shop No. 79



situated at Meena Bazar, Motihari which is used to sell stationery since several years and petitioner is paying rent for the same. Moreover, dispute involved in this case is of civil nature. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P. S. Case No. 216 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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