

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78673 of 2023

Arising Out of PS. Case No.-437 Year-2023 Thana- BUXAR District- Buxar

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AMIT KUMAR SINGH @ SONU SINGH SON OF SRI AJAY KUMAR
SINGH RESIDENT OF MOHALLA - MUSAFIRGANJ, POLICE STATION
- BUXAR TOWN, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav
For the Opposite Party/s : Mr. Rabindra Kumar
For the O.P. No. 2 : Mr. Arvind Kumar Pradhan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-02-2024 1. Heard learned counsel for the petitioner and learned A.P.P., Mr. Rabindra Kumar for the State along with learned counsel for the O.P. No. 2.
2. The learned counsel for the petitioner seeks permission to make rectification in Para-1 of the anticipatory bail application.
3. Permission is accorded.
4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 447, 387, 307, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.
5. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and from perusal of



the allegation as alleged in the FIR, it would manifest that a purely civil dispute has been given a criminal colour and allegation of firing is alleged in order to make the case more serious. It is also submitted that petitioner and the informant are related and are having dispute relating to land. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that 6.75 decimal of land was purchased in the name of the wife and sister-in-law of the informant and 6 decimal of land was purchased by the grandmother of the petitioner and the description of both the lands were same, as such, it is alleged that the father of the petitioner threatened the informant and his family to convey the land purchased by the wife of the informant and sister of the informant in his name, it is next alleged that on account of such dispute, the father of the petitioner along with his sons Sonu and Manoj fired on the side of the informant but then no one was hurt, thereafter, it is alleged that father of the petitioner demanded Rs. 20 Lacs as extortion money or to convey the land by accepting Rs. 15 Lacs.

6. Learned counsel for the petitioner next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute between the family of the petitioner



and the informant is relating to land and even title suit is pending in between the parties, further from the side of the petitioner also, Buxar Town P.S. Case No. 436 of 2023 was instituted. It is next submitted that the O.P. No. 2 while instituting the FIR concealed that he is related to the side of the petitioner to give an impression as if criminals had come on the land and fired.

7. Learned A.P.P. for the State along with learned counsel for the O.P. No. 2 opposes the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submission of the learned counsel for the petitioner that the dispute arose on account of dispute relating to land and no injury was caused to the side of the informant.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Buxar Town P.S. Case No. 437 of 2023 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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