

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79304 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- TRIVENIGANJ District- Supaul

Bhim Mandal @ Bhim Kumar Mandal, Son of Ram Prasad Mandal, Resident
of Village - Harihar Patti, Ward No.04, P.S. - Triveniganj, District - Supaul
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Akhouri Vipin Bihari Shrivastava, Advocate
For the State : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this case is seeking pre-arrest bail in connection with Triveniganj P.S. Case No. 05 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 504, 379, 354(B) of the Indian Penal Code. He has no criminal antecedent.

3. As per the prosecution story, when the informant went to plough his filed, the FIR named accused persons including this petitioner came there and started abusing and assaulting him. When the wife of the informant came to rescue him, she was also assaulted by this petitioner. It is further alleged that the accused persons are forcibly disturbing the possession of the informant on the piece of land which belong to the informant.



4. Learned counsel for the petitioner submits that the informant and the petitioner are *gotiya* in relation and there is a land dispute between the parties.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the informant and the petitioner are *gotiya* in relation and there is a land dispute between the two and it is because of the said dispute that a false criminal case has been lodged against the petitioner, the petitioner has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above-named shall be released on bail in connection with Triveniganj P.S. Case No. 05 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Supaul, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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