

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80360 of 2023

Arising Out of PS. Case No.-610 Year-2022 Thana- BHORE District- Gopalganj

PANKAJ VERMA S/O LATE RADHESHYAM VERMA VILLAGE-
MATHAULI, PS. BAHORE DIST. GOAPLGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Bhore P.S. Case No. 610 of 2022, registered for the offences punishable under Sections 147, 148, 149, 436, 341, 379, 380, 427, 504, 506 of the Indian Penal Code and U/S-25(1-b)a/26/35 of Arms Act.

3. As per the First Information Report, on 27.12.2022 at about 9:00 P.M. in the night, when the informant along with his family members was sleeping in his hut then suddenly petitioner along with other accused persons named in the FIR with ten other unknown persons armed with various weapons arrived there, and started firing and abusing them with filthy languages. When the wife of the informant came out, the



accused Pawan Verma fired from his gun and when she tried to flee then the petitioner Pawan Verma along with his associates caught the informant and his wife and kept them on the gun point. The accused persons entered into the house of the informant and took away *sari*, clothes etc. worth about Rs. 18,000/- and Rs. 1,20,000/- kept in the suit case.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute between the brother of the petitioner and the co-accused Pawan Verma with the informant. He next submits that, there is no allegation of firing upon the petitioner and the wife of the informant in paragraph no. 7 of the Case Diary has stated that Pawan Verma along with other accused persons had arrived at the house of the informant about one month before from the date of occurrence and had claimed their share on the land purchased by the informant in which the informant has constructed a hut. He further submits that due to land dispute with his brother, the petitioner has been dragged in the present case. Regarding one criminal antecedent, learned counsel submits that due to said Pawan Verma having due land dispute with the informant he has been implicated at the behest of informant.



4. Taking into consideration, the nature of allegation and the fact that there is a land dispute between the brother of the petitioner and the informant, charges have already been framed against co-accused Pawan Verma and he has been granted Regular Bail. Accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

5. This application is, accordingly, allowed.

6. Let the petitioner, Pankaj Verma, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail 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, Gopalganj in connection with Bhore P.S. Case No. 610 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Anil Kumar Sinha, J)

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