

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6604 of 2024

Arising Out of PS. Case No.-425 Year-2022 Thana- KHUSRUPUR District- Patna

Chhotu Singh @ Samir Kumar (M), aged about 35 years, Son of Julumdhari Singh @ Sri Ram Kishore Singh, Resident of village- Govindpur, Police Station- Khushrupur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Beauty Verma, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Heard Mr. Beauty Verma, learned counsel
appearing on behalf of the petitioner and Mr. Ram Sumiran Rai,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Khushrupur P.S. Case No. 425 of 2022 registered for the offence punishable under Sections 384, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the informant was constructing building on his own plot, which was objected by the accused persons including the petitioner and at that point of time, they got the construction work stopped.

4. Learned counsel appearing on behalf of the petitioner submitted that dispute is civil in nature and,



admittedly, informant and the petitioner are claiming title over the land in question, which is the subject matter of the FIR, which has been lodged after the delay of 28 days. Learned counsel further submitted that on the basis of sale deed and rent receipt executed in favour of one Anand Prakash, the informant has claimed his title over the property. It is also informed that Title Suit between the informant and on Raushan is pending. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of dispute between the parties, which primarily relates to a piece of land for which Title Suit is pending and the petitioner being supporter of one of the parties, has been dragged in a criminal case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City, in connection with Khushrupur P.S. Case No. 425 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The parties may resort to resolve their dispute amicably, either by canceling the sale deed or by any other mode.

(Purnendu Singh, J)

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