

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26856 of 2025

Arising Out of PS. Case No.-339 Year-2023 Thana- MAIRWAN District- Siwan

Dr. Akhilesh Singh @ Akhilesh Kumar Singh Son of Sri Vindhyachal Singh
Resident of village- Barhuliya Lata, Ps- Ander, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with in A.B.P. No. 2649 of 2024 arising out of Mairwa P.S. Case No. 339 of 2023 instituted under Section 379 of the Indian Penal Code lodged on 04.11.2023 by the informant, Arvind Kumar Jaiswal.

3. As per the prosecution story, the informant alleged that the godown of his shop situated on the land where the petitioner was running his Hospital. On 27.10.2023, he alongwith unknown persons broke upon his godown the stolen the goods i.e. refined oil and Dal. This led to the FIR.

4. Learned counsel for the petitioner submits that due to the dispute, he entered into an agreement with the petitioner to run the Hospital for six years. In the meantime, the informant



sold the land to the Sunita Kumari Choubey while he purchased part of the land from Dilip Kumar in the name of his wife. This is purely land dispute for which number of cases have been lodged as reflect from para-3 of the petition.

5. Learned APP opposes the prayer submitting that allegation of stealing the items is against this petitioner.

6. Considering the submissions of the parties as also that the matter relates to dispute of property which has led to the informant to lodge the FIR, the petitioner has undertaken to cooperate in the investigation and diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with A.B.P. No. 2649 of 2024 arising out of Mairwa P.S. Case No. 339 of 2023 to the satisfaction of learned A.C.J.M.-VII, Siwan subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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