

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70670 of 2024

Arising Out of PS. Case No.-233 Year-2024 Thana- BUDDHACOLONY District- Patna

1. Abhay Nath Son of Late Satyanarayan Rai Resident of Anandi Aangan, Tarkeshwar Path, Boring Road Crossing, P.S.- Buddha Colony, District- Patna
2. Sanjay Nath Son of Late Satyanarayan Rai Resident of Anandi Aangan, Tarkeshwar Path, Boring Road Crossing, P.S.- Buddha Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roona, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 24-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Buddha Colony P.S. Case No. 233 of 2024 for the offence under Sections 341, 323, 354(B), 379, 427 504, 506 and 34 of the I.P.C.

3. As per the prosecution story, the informant being the owner of hostel has alleged that on 09.05.2024, all the F.I.R. named accused persons came to his hostel and threatened him to vacate the same. One Manoj Kumar along with Santosh disconnected the electricity connection of the hostel and tried to



outrage the modesty of one Khushi who is the warden of the said hostel. It is also alleged that they have stolen the laptop and headphone of the informant.

4. Learned counsel for the petitioners submits that the prosecution story as alleged by the informant is totally false and fabricated. The petitioners are innocent and have committed no offence as alleged in the F.I.R. The petitioners are good citizens having no criminal antecedent except this case. The informant is stranger to these petitioners, and there is no tenancy or any other relationship with these petitioners. The petitioners are peaceful person and staying in their home/premises from last 40 years and still continuing till date. The petitioners have not committed any offence and no case under Sections 341, 323, 354B, 379, 427, 504, 506 and 34 of the I.P.C. is made out against the petitioners.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioners submits that the alleged property which is mentioned in F.I.R. belongs to him and the informant has purchased the said land from his Fufa. There is bona fide land dispute and he also submitted that Annexure P/3 is the order of proceeding under Section 107 of Cr.P.C. between both the



parties which was commenced prior to the alleged F.I.R. As there is bona fide land dispute between the parties and there is no specific allegation against the petitioner, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna , in connection with Budha Colony P.S. Case No. 233 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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