

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70599 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- RAGHOPUR District- Vaishali

Basdeo Ray @ Basudeo Ray Son of Late Mahendra Ray Village- Rustampur,
Ward no. 5, Ps- Raghobpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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

3 18-01-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Raghobpur P.S. Case No. 132 of 2024 for the offence under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the I.P.C. lodged on 16.05.2024 by the informant, Upendra Rai.

3. As per the prosecution story, on 16.05.2024 the accused persons as named in the FIR including the petitioner were constructing hut on the land of the informant and when he protested, all the accused persons abused and caught him and also started assaulting him. He and his son was assaulted by sharp edged sword on his head causing head injury.

4. Learned counsel for the petitioner submits that the petitioner has been made accused due to land dispute between



the parties which would be evident from the FIR itself. There is a case and counter case between the parties. He also submits that other co-accused persons, on whom specific allegation has been leveled, has been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 18.12.2024 passed in Cr. Misc. No. 84054 of 2024.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the fact that there is long standing land dispute between the parties, case and counter case is there and also there is no specific allegation against the petitioner and he do not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions to maintain the similarity and parity.

7. Let the petitioner 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 Sub-Judge-XVI cum ACJM – XV, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 132 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(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.

(S. B. Pd. Singh, J)

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