

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 88024 of 2024

Arising Out of PS. Case No.-533 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Bal Mukund Prasad Gupta S/o- Late Ganori Sah @ Guneshwar Prasad Gupta
Resident Of Bariyahi Bazar PS- Bangaon District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-01-2025 1. Heard learned Senior counsel for the petitioner Mr. Krishna Prasad Singh and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 447, 387, 506, 115, 120(B) of the Indian Penal Code.
3. Learned senior counsel for the petitioner submits that petitioner has antecedent of six cases and the informant alleges that his father and brother in greed of property is after his life, further they even tried to forcibly taken possession of his land with the help of Vibha Kumari and her goons but on protest by villagers, the accused persons fled away, leaving behind the bricks, mobile and a mobile, next alleges that his father and brother are trying to forcibly take his land on the pretext that they had constructed a wedding hall and if the land of the petitioner is usurp, the area of the wedding hall will



increase and they also demanded an extortion of Rs. 20 lacs.

4. Learned senior counsel submits that petitioner has been falsely implicated in the instant case by the informant at the instance of Rupa Kumari. It is further submitted that though Rupa Kumari claims that she is wife of the informant but then she is not. It is further submitted that Rupa Kumari is wife of one Chaitanya, against whom she had instituted Saharsa P.S. Case No.534/2024, for which, Cr. Misc. No.17002/2024 was filed and Chaitanya was granted the privilege of anticipatory bail with a condition that he will pay Rs.7000/- per month to Rupa Kumari. It is submitted that Chaitanya till date is paying the amount of Rs.7000/- as directed by this Court in Cr. Misc. No.17002/2024 by order dated 14.03.2024.

5. Learned Senior counsel next submits that informant after instituting the instant case was murdered for which Rupa Kumari instituted Saharsa P.S. Case No.534/2024 against the petitioner and others, the petitioners moved this court seeking anticipatory bail by filing Cr. Misc. No.64602/2024 and the same was allowed by an order dated 20.12.2024.

6. Learned senior counsel thus submits that though Rupa Kumari was not wedded to the informant but after leaving Chaitanya was residing with him and thus wanted to usurp his



property, hence by taking the informant in confidence got cases instituted against the father and brother of the informant through the informant. It is further submitted that by usurping the property of his own son, the petitioner would not have benefited. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute appears more civil than criminal in nature.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saharsa Sadar P.S. Case No.533/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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