

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36319 of 2014

Arising Out of PS.Case No. -185 Year- 2014 Thana -KURHANI District- MUZAFFARPUR

- =====
1. Pankaj Kumar S/o Rajeshwar Bhagat
 2. Bhola Rai @ Anil Rai , S/o Chulha Rai
 3. Manoj Bhagat , S/o Ram Balak Bhagat
 4. Urmila Devi , W/o Rajeshwar Bhagat All resident of Village - Gausi Bhagirath , P.S. - Kurhani , District - Muzaffarpur .

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Opposite Party/s : Mr. Dinesh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 03-04-2015

Heard the parties.

Be it noted that the anticipatory bail application on behalf of the petitioner no.2, namely, Bhola Rai @ Anil Rai has already been withdrawn.

Remaining three petitioners apprehending their arrest in connection with Kurhani P.S. Case no. 185 of 2014 registered under diverse provisions of the Indian Penal Code including Sections 307, 427/34 of the IPC have filed the application.

When the informant who herself is a victim was in the process of selling the land, it is alleged, that these petitioners interrupted and the documents were torn by the petitioner no.1

who is agnate of the informant. At the orders of petitioner No.1 co accused Manoj Bhagat is said to have placed pistol on the temporal region of the informant. It is further alleged that petitioner no.1 outraged the modesty of the mother-in-law of the informant. Accused Manoj Bhagat is also said to have inflicted injury with rod on the head of the informant.

Contention of the petitioners is that they are agnates. Prior thereto a complaint was lodged by Urmila Devi(petitioner no.4). The injury found on the person of the informant is simple in nature. Petitioners do not carry any criminal antecedent.

Counsel for the informant, however, pointed that the petitioner nos. 1 and 3 do carry criminal antecedent lodged by the same informant. Citus of the injury sustained by the informant is of relevance. She did receive injury on the head which, of course, was found by the Doctor simple in nature.

Considering the allegations and the facts appearing from the record, petitioner no.1, namely, Pankaj Kumar and petitioner no.3, namely, Manoj Bhagat do not deserve to be released on anticipatory bail. Prayer for anticipatory bail on their behalf stands rejected.

So far as the petitioner no.4, namely, Urmila Devi is concerned, in the event of her arrest/surrender within four weeks

from today before the Court below be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Kurhani P.S. case no. 185 of 2014, G.R. No. 1358 of 2014 subject to the conditions as laid down under Section 438 (2) of the Cr. P.C. .

(Kishore Kumar Mandal, J)

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