

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3776 of 2016

Arising Out of PS.Case No. -255 Year- 2015 Thana -DANAPUR District- PATNA

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1. Ashwini Kumar Son of Late Chandeshwar Prasad resident of Mohalla -
Gabh Tal, Akhara Road, Danapur, P.S. Danapur, District - Patna at Present
residing at Nutan Vidya Complex, Kurji, P.S. Digha, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420,
467, 468, 323, 379, 471, 120B, 209, 210, 229, 230 of the
Indian Penal Code.

The prosecution case is that the petitioner being
the agnate of the informant got a Partition Suit No. 112 of
1986 decreed on the basis of compromise being making the
father of the informant as party defendant. The said decree



was challenged in 2006 through a Miscellaneous Case No. 04 of 2006 when the Partition decree was set aside and the said order was ultimately upheld up to the Apex Court. In the background of the above litigating relationship, the accused persons including the petitioner made assault to the informant, snatched gold chain, wrist watch and Rs.10,000/- from the informant and not allowing the informant to enjoy his share of property in the family.

It is submitted by the learned counsel for the petitioner that in the background of serious litigating relationship the accusation has been levelled and three other cases were lodged at the behest of the informant's side.

Learned counsel for the informant submits that fraudulently the petitioner got the decree in the partition suit and the said decree of partition suit has been unsettled by the Competent Court and is still pending. The accused persons snatched gold chain and Rs. 10,000/- from the informant.

Considering the nature of accusation in the background of litigated relationship, this is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Danapur P.S. Case No. 255 of 2015, pending in the court of learned Additional Chief Judicial Magistrate, Danapur, Patna.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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