

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38151 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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Sanjeev Singh Son of Sri Rambadan Singh, redsident of Village- Gopalpur,
Police Station- Suryagarha, (Manikpur), District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the elder brother of the late husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 354B, 379, 352 and 504/34 of the Indian Penal Code.

The prosecution case is that the husband of the informant committed suicide and thereafter the accused persons including the petitioner in order to grab the share of property of the informant, assaulted her. It is alleged that the petitioner and his brother Rajeev tore the blouse of the informant when the wives of the petitioner and his brother snatched the gold chain and earring.

It is submitted by the learned counsel for the petitioner that the informant was married with the younger brother of the petitioner namely Prem Shankar Singh @ Bambam who



committed suicide on 23rd of January, 2015 due to torture inflicted by the informant and her father, consequently, the petitioner being the elder brother of the husband of the informant lodged Suryagarha (Manikpur) P.S. Case No.15 of 2015 on 25.01.2015 levelling accusation under Sections 306/34 of the IPC wherein it was alleged that due to torture inflicted by the informant and her family members, the petitioner's brother committed suicide, and thereafter, Suryagarha (Manikpur) P.S. Case No.28 of 2015 was registered at the behest of the informant against the petitioner but in the said case, police has submitted final form and petitioner was not sent up for trial and it is pending for orders before the learned Magistrate, Lakhisarai. The other case being Complaint Case No. 84 of 2016 was subsequently filed which was registered as a police case being Suryagarha (Manikpur) P.S. Case No.21 of 2016 after being transferred under Section 156(3) of the Cr. P.C wherein also final form was submitted which was accepted as the petitioner was not sent up for trial. Hence, the present case was lodged as a retaliatory measure. Moreover, there is no injury report of the informant on record.

Considering the accusation in the background of serious litigated relationship between the parties, let the above named petitioner be released on anticipatory bail, in the event of

arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Suryagarha (Manikpur) P.S. Case No. 257 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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