

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6694 of 2016

Arising Out of PS.Case No. -76 Year- 2013 Thana -JHAJHA District- JAMUI

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Dipak Singh Son of Ramchandra Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sewak Chaudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 323, 354, 408, 379, 504 of the Indian Penal Code.

Prosecution case is that the informant Nilu Kumari @ Nisha Kumari got her 'fardbeyan' recorded at referral hospital, Jhajha, stating therein that in the year 2008, her mother Rekha Devi purchased a house from one Raj Kumar Singh @ Bhola Singh. It is alleged that on 10.04.2013 Karamvir Singh , son-in-law of Raj Kumar Singh, Dharambir Singh, Kaleshwar Singh and Binod Singh came to her house and abused the informant and asked her to vacate the house and also gave life threatening. It is further alleged that on 13.04.2013 at 9.30 A.M. all above



four accused persons along with Suraj Singh, Manish Singh, Pintu Singh, Uday Singh, Ajit Singh and the petitioner entered into the house of the informant when the accused persons caught hold the hand of the informant and her sister Shilpa and dragged her outside the house, abused her and also used filthy languages and asked to vacate the house. On protest being made Manish and Suraj Singh assaulted the informant and her sister Shilpa, as a result, the informant sustained injuries on her neck and got unconscious. It is further alleged Dharambir and Karamvir Singh are criminals and recently they were released from jail, who snatched gold chain from the neck of the informant and gold top from the ear of the sister of the informant.

It is submitted by learned counsel for the petitioner that accusation is omnibus and general and there is nothing specific against the petitioner. The accusation has been levelled in the background of pending title suit. Though, prayer for anticipatory bail of co-accused Suraj Singh, Manish Singh, Uday Singh and Ajit Singh was earlier considered by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.9724/2015 but due to wrong statement made in paragraph 3 of the petition to the effect that the petitioners have no criminal

antecedent the prayer was rejected. But it is specifically mentioned in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation in the background of pending title suit, it 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 within a period of six weeks in connection with Jhajha P.S. Case No.76/2013, pending before the learned Judicial Magistrate, 1st Class, Jamui.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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