

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22507 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Ranjan Singh, Son of Jainath Singh, resident of Village- Dahiyawan Tola,
Tari, P.S.- Chapra Muffasil, District- Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Mithilesh Singh, Son of Kedar Singh, resident of Mohalla- Prabhunath
Nagar, North of Shiv Mandir, Plot No. C-323, P.S. Chapra Muffasil,
District- Saran at Chapra.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ram Binod Singh, Advocate

For the Opposite Parties : Mr. Sri Pranav Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel representing the

State.

The petitioner apprehends his arrest in connection
with Chapra Mufassil P.S. Case No. 280 of 2016, (arising out of
Complaint Case No. 2187 of 2016) registered for the offences
punishable under Sections 323, 341, 413, 414, 420, 504/34 of the
Indian Penal Code and Section 27 of Arms Act..

Allegedly, the petitioner and informant both were doing
the work of property dealer in partnership but they were investing
money separately. After sometime some, dispute arose then it was
thought to dissolve the partnership and both made calculation and
then it was found that the petitioner is liable to pay Rs. 23 lacs and



then the petitioner called the informant at his house on 22.07.2016 and when the informant went to the house of the petitioner on 22.07.2016 with his Scorpio vehicle co-accused Dilip Singh and Arun Singh caught the collar of the informant and at the point of pistol petitioner pulled him in the house and showing fear of death, got signature on plain paper and when the informant tried to flee away after starting vehicle, the petitioner snatched the key of the vehicle and co-accused Dilip Singh and Arun Singh assaulted with *butt* of the pistol and pushed the informant when he tried to flee away. The informant went at police station, but no case was registered till 27.07.2016 then the complaint case was filed on 28.07.2016 which was sent for registering the police case and investigation.

Submission is of false implication and that no injury was found on the person of the informant, the complaint case has been lodged after delay of six days without any explanation. In para 2 of the complaint petition, it is stated that both were using their separate money in property dealing then how amount of Rs. 23 lacs came due is surprising one, the case has been lodged with concocted story and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned



counsel for the informant opposes the prayer of pre-arrest bail by submitting that Scorpio vehicle has been released in favour of the informant and at the point of pistol, the petitioner got the signature of the informant on plain paper and, as such, the petitioner does not deserves bail.

In the facts and circumstances as stated above, considering that no injury has been caused to the informant, there is no paper regarding dues of Rs. 23 lacs, and, as such, petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Mufassil P.S. Case No. 280 of 2016 (arising out of Complaint Case No. 2187 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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