

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62086 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- LADAIYATAR District- Munger

Rajeev Kumar, Son of Raja Ram Pandit, Resident of Village- Mahagama,
Khajuriya, Police Station- Laraiyatand, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash

For the Opposite Party/s : Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,379,323,307,354 and 504/34 of the IPC.

The prosecution case as per the written report of Urmila Devi dated 01.07.2018 submitted to the SHO, Laraiyatand Police Station is to the effect that on 30.06.2018 at 9.30 A.M. all the informant went to one Jawahar Pandit's house for the purpose of making genealogy, when all the accused persons prevented the informant from making the genealogy, and on protest being made, accused persons including the petitioner abused the informant while co-accused Khajo Pandit assaulted her with a lathi and when husband of the informant came to rescue her he was also assaulted by the accused persons. It



is further alleged that when the daughter of the informant, namely, Neha Kumari came to rescue, she was dragged by co-accused Birendra Bharti, Ranjan Pandit and Vikash Pandit with ill intention. When the daughter of the informant tried to escape from their custody, the petitioner is alleged to have assaulted her with lathi causing bleeding injury. It is further submitted that the co-accused Sulena Devi snatched earring of the informant.

It is submitted by learned counsel for the petitioner that in the background of a property dispute, accusation has been levelled against the petitioner. It is further submitted that one lacerated injury of marginal size has been found on the head of the daughter of the informant caused by a hard and blunt substance. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that other accused persons have been granted anticipatory bail by the learned Sessions Judge.

Considering the accusation being levelled in the background of a property dispute, the nature of injury being caused and the fact that there is no accusation of repeating the blow, coupled with the statement made in paragraph 3



of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM-II, Munger in connection with Laraiytarn P.S. Case No. 24 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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