

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70849 of 2018

Arising Out of PS. Case No.-284 Year-2017 Thana- DHURAIYA District- Banka

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1. Sarvan Singh, Son of Harnarayan Singh,
 2. Pawan Kumar Singh @ Pawan Singh, Son of Harnarayan Singh,
 3. Bhim Singh, Son of Pawan Singh,
 4. Chhotu Kumar Singh @ Chhotu Singh, Son of Pawan Singh,
 5. Rahul Kumar Singh @ Rahul Singh, Son of Sarvan Singh, All resident of Village- Kushmi, P.S.- Dhuraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 385, 379, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Sushil Singh dated 24.12.2017 submitted to the Station House Officer of Dhuraiya Police Station is to the effect that the informant and his wife used to look after his widow mother-in-law, who had nobody else to look after her. In 2015 the informant used the tractor of Anil Jha and gave Rs.500/- to the Manager Sharwan Singh. Since the work was done only for



Rs.400/-, hence, the informant has demanded Rs.100/-.On 22.10.2017 at about 8.30 A.M. the informant had gone to the Manager for demanding Rs.100/- then petitioner no. 1, Sharwan Singh and his family members abused and assaulted the informant and they took Rs.50,000/- and snatched wrist watch from the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute, the accusation has been levelled against the petitioners. It is further submitted that for the occurrence of 22.12.2017, the FIR has been registered on 24.12.2017 which reached to the learned Court below on 25.12.2017, which suggests that the FIR is antedated. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the genesis of the occurrence as for a petty dispute the accusation has been levelled, coupled statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of



twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Banka in connection with Dhoraiya P.S. Case No. 284 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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