

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21073 of 2018

Arising Out of PS.Case No. -22 Year- 2017 Thana -HISUA District- NAWADA

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1. Ranjeet Rajbanshi, S/o Madan Rajbanshi
 2. Sanjeet Rajbanshi, S/o Madan Rajbanshi
 3. Madan Rajbanshi, S/o Late Prasadi Rajbanshi All are Resident of Village-Yadav Nagar, Hisua, P.S.-Hisua, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 26-04-2018 The learned counsel for the petitioners submits that petitioner no.3 Madan Rajbanshi has already been arrested and as such his prayer for anticipatory bail has become infructuous and he seeks permission to withdraw prayer of pre-arrest bail of petitioner no.3.

Permission is granted and the prayer of anticipatory bail of petitioner no.3 Madan Rajbanshi is hereby dismissed as withdrawn.

Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Hisua P.S. Case No. 22



of 2017 for the offences punishable under sections 341, 323, 307, 384, 504 and 506/34 of the I.P.C.

Allegedly, when the informant was getting her house roofed, in the meantime petitioner no.1 assaulted Bhushan Mistry on his head with iron rod, petitioner no.3 assaulted Binda Mistry with lathi on his leg and hand and demanded half of the amount which the informant has received under Indra Awas Scheme. The petitioner no.3 got down the informant with an intention to kill her and was pressing her neck but the labourers saved her.

Submission is of false implication and earlier also the informant has lodged case bearing Hisua P.S. Case No. 20 of 2017 and again this case has been lodged, the case has been compromised, both Bhushan Mistry and Binda Mistry have received simple injury which is evident from Annexure-3 series, good senses have prevailed between the parties and both parties have compromised the case and has filed compromise petition also in the learned court below, vide Annexure-4, and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that earlier occurrence was committed resulting Hisua P.S. Case No. 20 of 2017 has been lodged and thereafter this case has been lodged.

In the facts and circumstances stated above,



considering that good senses have prevailed between the parties and as such petitioner nos. 1 and 2, namely, Ranjeet Rajbanshi and Sanjeet Rajbanshi, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M, Nawada in connection with the aforementioned case, subject to the conditions as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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