

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53365 of 2018**

Arising Out of PS. Case No.-334 Year-2018 Thana- BANKA District- Banka

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Pramod Kapri, S/o Late Panchkaurhi Kapri, R/o Vill.- Garhona, P.S.-  
Baerahat, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Braj Nandan Kumar Tiwary, Advocate  
For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      20-11-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 341, 323, 307, 504 and  
506/34 of the IPC.

The prosecution story, in brief, is that six feet wide  
road was allotted to the brother of the informant, namely, Sarjun  
Kapri, in compliance of direction of the *Punches* and his brother  
Pramod Kapri (petitioner) also demanded the share and passage  
in one Katha of land which has been purchased by the informant  
in the name of his wife and further Pramod Kapri (petitioner),  
co-accused Jitendra Kapri having *Lathi* and *Parkhanti* came and  
said that till allotment of share, no work will be done and then  
informant claim land is his own land then both Pramod Kapri  
(petitioner) and co-accused Jitendra Kapri assaulted to him and



his daughter Priyanka Kumari causing injuries and both snatched the silver chain from the neck of his wife, 2 *Bhars silver chain* from the neck of his daughter weighing about 5 *Bhars* and further threatened to kill him if he will not give share to land them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Banka (Barahat) P. S. Case No. 334/2018, corresponding to G.R. No. 1588 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of  
Criminal Procedure.

**(Sudhir Singh, J)**

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