

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70907 of 2018

Arising Out of PS. Case No.-314 Year-2017 Thana- NAWADA District- Nawada

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1. Ramo Devi, W/o Late Binda Yadav,
 2. Babita Devi, W/o Late Kumar Sudhir @ Karu @ Sudhir Kumar.
 3. Mithelesh Kumar, S/o Binda Yadav,
- Al residence of Village- Munger Bigha, P.S.- Town, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Singh, Adv.
For the Opposite Party/s : Sri Arun Kumar Pandey, APP

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, being mother in-law, sister-in-law and the brother-in-law of the informant are apprehending arrest in a case registered for the offences punishable under Sections 448/341/323/354B/379/307/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Nitu Devi, recorded by A.S.I., R.N. Jha, Magadh Medical P.S. Gaya on 26.04.2017 at 11.00 Hours to the effect that on 21.04.2017 at 5.00 A.M., in the morning, police came to the house and arrested the brothers-in-law of the informant, namely, Sudhir Kumar and Mukesh Kumar in connection with a criminal case



lodged by the informant and in retaliation to that the petitioners assaulted the informant and committed theft of cash, household articles and a mobile.

It is submitted by learned counsel for the petitioners that in the background of a property dispute, the accusation has been levelled and no grievous injury has been caused to the informant. It is further submitted that at an earlier point of time, the informant has lodged Nawada Town P.S. Case No.35 of 2016 and Nawada Town P.S. Case No.213 of 2017 against petitioner no.3 and others, but petitioner nos. 1 and 2 are not having any criminal antecedent, though petitioner no.3 is on bail in both the aforementioned cases. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the genesis of the occurrence and the relationship between the parties and above all the accusation levelled in the background of litigated relationship between the parties, coupled with statement made in paragraph no.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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada, in connection with Nawada Town P.S. Case No.314 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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