

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69732 of 2018

Arising Out of PS. Case No.-151 Year-2017 Thana- AKBARPUR District- Nawada

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1. Dinesh Kumar Singh
 2. Sandip Singh @ Sandeep Kumar Singh
 3. Rahul Kumar, All Sons of Nand Kishore Singh, Resident of Village-Bhatt Bigha P.S.- Akbarpur, Distt.-Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-12-2018

Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 323, 380, 354, 436, 504 and 506 of the IPC.

The prosecution case, as per the written report of Bimla Devi, dated 26.07.2017, submitted to the Station House Officer, Akbarpur Police Station is to the effect that husband of the informant is employed in Bhutan. On 21.07.2017 at 7 AM, the petitioners, being the agnates of the informant, along with co-accused Lalan Kumar Singh, Laddu Kumar, Radha Devi and Rekha Devi came to the house of the informant, claimed her house and started abusing her. On protest being made, petitioner no.1, Dinesh Kumar Singh and petitioner no.2, Sandip Singh



ordered to kill the informant whereupon, petitioner no.3, Rahul Kumar and co-accused Rahul Kumar pushed the informant on the ground and assaulted her. It is further alleged that co-accused Radha Devi and Rekha Devi also assaulted the informant and when the neighbour of the informant and other nearby people came to rescue her then petitioner no.1, Dinesh Kumar Singh and petitioner no.2, Sandip Kumar entered into the house of the informant and took out a gold chain.

It is submitted by learned counsel for the petitioners that for the occurrence of 21.07.2017, the FIR was lodged on 26.07.2017. The petitioners are the agnates of the informant and in the background of land dispute, the accusation has been levelled against the petitioner and in fact no injury was caused to anyone and the investigation has already concluded, though, the petitioners have been charge-sheeted. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the delayed lodging of the case, the accusation being levelled in the background of property dispute between the parties, coupled with the 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/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 like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Nawada in connection with Akbarpur P.S. Case No. 151 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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