

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8673 of 2019

Arising Out of PS. Case No.-39 Year-2017 Thana- MARANCHI District- Patna

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Kailash Singh (M), aged about 46 years, Son of Arjun Singh R/o village-
Maranchi, Bhagat Tola, P.S- Maranchi, District- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph no.4 of the petition.

Heard learned Counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending arrest in a case registered

for the offences punishable under Sections 448, 341, 323, 379,

504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Mohan

Singh submitted to SHO, Marnachi Police Station is to the effect

that the petitioner used to borrow money as a loan from the

informant, which amounted to about Rs.10-11 thousand, when

demand was made by the informant for the due amount, the

petitioner did not return the same, as a result, the informant

made a complaint in the police station. Thereafter, the matter

was reconciled with the help of villagers. It is further alleged

that on 26.05.2017, at about 8.00 P.M., when the informant was



alone in his house, then the petitioner entered into the house of the informant and abused and threatened the informant to kill him, thereafter, he threw the mobile phone of the informant on the ground and took away Rs.11,000/- and other important documents from the house of the informant. It is further alleged that the occurrence has been witnessed by informant's neighbour Rajeev Ranjan Singh, Krishna Kumar and Ranjeet Kumar.

It is submitted by learned counsel for the petitioner that for the occurrence of 26.05.2017, FIR was registered on 27.05.2017 and there was a dispute with regard to cutting of bamboos between the petitioner and the informant. It is further submitted that petitioner claims to be the next door neighbour and agnate of the informant. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the fact that the accusation has been levelled in the background of distant relationship between the parties from earlier, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal



antecedent, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned **ACJM, Barh, Patna** in connection with **Maranchi P.S. Case No. 39 of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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