

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21194 of 2019

Arising Out of PS. Case No.-944 Year-2018 Thana- PHULWARISHARIF District- Patna

1. LALLU @ LALLU SINGH @ LALAN @ LALAN SINGH @ LALAN PRASAD SINGH Son of Sri Jairam Singh Resident of Village - Bhela Rampur, P.S.- Janipur, Distt - Patna.
2. Chinta Haran @ Chinta Haran Prasad Singh Son of Sri Jairam Singh Resident of Village - Bhela Rampur, P.S.- Janipur, Distt - Patna.
3. Ranjit Kumar @ Ranjit Singh Son of Nepali @ Ram Ekbal Singh Resident of Village - Bhela Rampur, P.S.- Janipur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,504,506,385 and 387/34 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the written report of Sahdeo Yadav submitted to the SHO, Janipur Police Station is to the effect that on 16.11.2018 at 9.00 A.M., as soon as the informant reached to his shop, the accused persons including the petitioners and some unknown persons came on three motorcycles and they resorted to fire but it did not hit the informant. It is further alleged that earlier also, through whatsapp Rupees Two Lacs and four furniture (Diwan) were



demand and life threatening was given to the informant in case of non-supply of such articles.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of old enmity. It is further submitted that at earlier point of time, Puja Devi, wife of petitioner no. 1 filed Complaint Case No. 2276 of 2017 with accusation under Section 323, 354, 379, 504 and 307 of the IPC against the informant wherein process was directed to be issued on 19.7.2018 for the offences punishable under Sections 323 and 504 of the IPC against the informant and thereafter the present FIR was registered on 16.11.2018. Admittedly, there is no injury caused to the informant nor any money has been realized, hence, at best a case under Section 385 of the IPC is made out, which is bailable.

It is submitted by learned counsel for the informant that at earlier point of time one case under Section 307 of the IPC was lodged by the informant's side wherein the petitioners side caused injury to the informant.

Considering the accusation being levelled in the background of litigated relationship between the parties and the case lodged by the petitioners' side at earlier in point of time, let the petitioners above named be released on anticipatory bail



in the event of arrest or surrender within 12 weeks 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 ACJM
XV, Patna, in connection with Phulwarisharif (Janipur) P.S.
Case No.944 of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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