

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25356 of 2019

Arising Out of PS. Case No.-179 Year-2019 Thana- DANAPUR District- Patna

1. SATYAVATI DEVI W/o Sri Navab Rai @ Navab Singh
2. Navab Rai @ Navab Singh S/o Late Biari Pahlwan
3. Amit Utsav @ Amit Kumar S/o Sri Navab Rai @ Navab Singh
All residents of village- Tarachak, Mubarakpur, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Sharma, Adv. Mr. M.M. Tiwari, Adv. Mr. Patanjali Rishi, Adv. Mr. Jitendra Kumar, Adv.
For the State	:	Mr. Atul Chandra, APP
For the Informant	:	Mr. Arvind Kumar Pandey, Adv. Mr. Jay Ram Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-07-2019 Heard learned counsel for the petitioners and learned counsel representing the State as well as learned counsel for the informant.

Petitioners, in the present case, are seeking anticipatory bail in connection with Danapur P.S. Case No.179 of 2019, corresponding to Special Case No.2349 of 2019 registered for the offence punishable under Sections 341, 323, 498A and 504 of the Indian Penal Code and Section 37(b) and (c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the



allegations against the petitioners are that the petitioner no.1 being mother -in-law of the informant got a piece of land which was given to the informant in her marriage transferred in her name in the month of September, 2018. It is alleged that on 03.03.2019 the informant's husband returned home in inebriated state and started beating the informant. Thereafter, police arrived and rescued the informant.

The facts reveal that there is a counter case also in which it is alleged that on 03.03.2019 the informant had got his brother and some other accused persons entered in the house and when the informant of the counter case came back then those persons assaulted the informant. The counter case is Danapur P.S. Case No.228 of 2019. A Copy of the same has also been brought on record as Annexure-3.

Learned counsel for the petitioners submits that the petitioner no.1 and 2 are old aged in-laws of informant whereas petitioner no.3 is the younger brother-in-law of the informant. It is submitted that from the counter case it appears that some family dispute is going on between the parties and earlier also cases have been registered in which the husband of the informant had been taken into custody and in this case also he has been taken into custody but is on bail presently. So far as



these petitioners are concerned, they are family members and the land was transferred in the name of mother-in-law under some family arrangement because the mother is running a school and for that land was required at the relevant time for the purpose of recognition etc.

Learned counsel for the informant and the State have opposed the prayer for anticipatory bail. It is submitted that the informant has been subjected to cruelty for the land which has been got transferred in favour of mother-in-law.

Having heard learned counsel for the petitioners and learned counsel representing the informant as also the State, this Court is of the opinion that in the given facts and circumstances of the case where at the time of transfer of land no issue was raised by the informant as also that the husband of the informant had already been taken into custody for the alleged act committed by him on 03.03.2019, let the petitioners above named, in case of their arrest or surrender within four weeks from today in connection with Danapur P.S. Case No.179 of 2019, corresponding to Special Case No.2349 of 2019, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Patna,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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