

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39688 of 2018

Arising Out of PS. Case No.-746 Year-2017 Thana- SHASTRINAGAR District- Patna

1. Satish Raj Chauhan, S/o- Late Ramchandra Singh,
2. Amita Singh W/o Satish Raj Chauhan,
3. Sahil Raj @ Sahil Raj Chauhan S/o- Satish Raj Chauhan, All R/o-Vill.- Gokulpur Korhar, P.O.- Anandpur Camp, P.S.- Bihta, District- Patna at present residing at Basa Bihar Apartment Flat No. 104, P.S.- Shastrinagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 02-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379, 504 and 147 of the IPC.

The prosecution case, as per the written report of Neetu Singh, dated 15.12.2017, submitted to the Station House Officer, Shastri Nagar Police Station, is to the effect that on 15.12.2017, the informant along with her mother-in-law and aunt went to Flat No. 104 and knocked the door, when petitioner no.2, Amita Singh opened the door. Thereupon, the informant asked her to vacate the flat, then petitioner no.2, called her son,



namely, Sahil Raj, who came along with 15 persons and assaulted the informant, misbehaved with her and snatched the Mangal Sutra and gold chain of her mother-in-law and aunt.

It is submitted by learned counsel for the petitioners that the petitioners entered into an agreement to purchase the flat in question with one Jivanand Singh, but in spite of entire consideration amount being paid, the sale deed was not executed, resulting into filing of suit for specific performance, being Title Suit No. 446 of 2017. It is further submitted that the petitioners entered into an agreement with Jivanand Singh on 17.12.2013, whereas the informant claimed to have purchased the flat in question from Jivanand Singh on 05.12.2017.

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

Considering the civil nature of dispute levelled in the background of pending title suit, 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 Sub-Judge-IV, Patna in connection with Shastrinagar P.S. Case No. 746 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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