

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4695 of 2019

Arising Out of PS. Case No.-424 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Chhotu @ Aryan Ara @ Aryan Arya @ Arya Aryan, Son of Prakash Rajak,
Resident of Village/Mohalla - Bishanpur Dhobi Tola, P.S.-Town, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 457 and 380 of the IPC.

The prosecution case, as per the written report of Supriya, dated 17.07.2018, submitted to the Station House Officer, Begusarai Town Police Station, is to the effect that on the same day at about 5.15 A.M., when the informant opened the lock of the adjacent room, in the meantime, from the other room, four accused persons including the petitioner, came, out of them, one co-accused person was armed with pistol when other accused person put his hand on the mouth of the informant and asked her



not to raise alarm and one accused person flee away while carrying a bag. The informant disclosed the name of all the four accused persons with complete address and parentage. Subsequently, the informant came to know that all the accused persons have taken away Rs. 50,000/- and jewellery worth Rs. 4 lacs.

It is submitted by learned counsel for the petitioner that the informant is known to all the accused persons including the petitioner from before. All the accused persons are own brothers. It is further submitted that for the occurrence of 16.07.2018, when the police did not register the FIR, then Complaint Case No. 59 of 2018 was filed on 19.07.2018, by the mother of the petitioner against the informant and her husband with accusation under Sections 307, 323, 379 and 504 of the IPC and 3 of the SC/ST (Prevention of Atrocities) Act, and when the informant came to know about the case being registered by the petitioner's side, then the present case has been lodged as a retaliatory measure. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.



Considering the nature of accusation being levelled in the background of earlier dispute between the parties, coupled with the 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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Begusarai in connection with Begusarai Town P.S. Case No. 424 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

