

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62390 of 2019

Arising Out of PS. Case No.-489 Year-2019 Thana- BIHARSHARIF District- Nalanda

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1. NIRAJ KUMAR, aged about 54 years, Male, S/o Vijay Kumar, Resident of Mohalla- Bhusatta, P.S.- Bihar Sharif, Dist- Nalanda
 2. Kavita Devi, aged about 45 years, Female, wife of Niraj Kumar, Resident of Mohalla- Bhusatta, P.S.- Bihar Sharif, Dist- Nalanda
 3. Puja Seth, aged about 25 years, Male, S/o Niraj Kumar Resident of Mohalla- Bhusatta, P.S.- Bihar Sharif, Dist- Nalanda ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Prem Ranjan Kumar, Adv.
For the State	:	Mr. Mukeshwar Dayal, APP
For the Informant	:	Mr. Anurag Saurav, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioners, the learned counsel for the informant and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bihar P.S. Case No. 489 of 2019 registered under Sections 341, 323, 325, 504, 506, 379 and 34 of the Indian Penal Code.

The accusation is that on 31.07.2019, in the morning, both the petitioners 1 and 3, who are sons, and petitioner no. 3, daughter-in-law of the informant, Vijay Kumar, with their children, came near the informant and his wife and demanded Rs.5,000/-. When the wife of the informant made protest saying that how she will manage the money, then, petitioner no. 2, Kavita Devi, ordered to assault on which Abhishek Kumar, Ritik Seth and Puja Seth, children of the petitioners 1 and 2, caught hold the wife of the informant and petitioner no. 1 gave the iron rod, causing fracture in the left hand. At that time, petitioner no.



1 snatched the gold chain and other ornaments and handed over to his wife (petitioner no. 2)

Having regard to the facts and circumstances of the case, let the petitioners no. 2, Kavita Devi, and petitioner no. 3 Puja Seth, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bihar P.S. Case No. 489 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

However, taking into consideration the nature of allegation, as made against the petitioner no. 1, Niraj Kumar, his payer for pre-arrest bail is **rejected** and he is directed to surrender before the Court below and seek regular bail, which will be considered by the trial Court on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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