

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69021 of 2018

Arising Out of PS. Case No.-3983 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Rewa Devi W/o Ranjan Kumar Singh
 2. Jitani Devi W/o Late Ram Bihari Singh Both Resident of Village-Dasharatha,Sahid Ram Govind Singh Path-2,Anishabad,P.S. Beur,Distt.-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ram Shankar Prasad Singh S/o Sri Jagdish Narayan Singh R.o. Village-New Dasratha,I.O.C., Road,Back of Quarter Gate,P.S.Beur,Distt.-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Singh
For the Opposite Party/s : Mr.Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-04-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,341 and 379/34 of the IPC.

The prosecution case as per the complaint filed by Ram Shankar Prasad Singh is to the effect that the complainant and others paid Rs.88,000/- to the co-accused Ranjan Kumar Singh for construction of twelve feet approach road but when the complainant started constructing road, co-accused Ranjan Kumar Singh objected the same. It is further alleged that on 25.3.2013, all the accused persons damaged the constructed



road. Consequently, Sanaha was registered. It is also alleged that the accused persons started demanding price of the land at higher rate. In the meantime, a proceeding under Section 133 of the Cr.P.C. was initiated but on 23.12.2016, the accused persons started assaulting the complainant and when protest was made by complainant, co-accused Ranjan Kumar Singh snatched a gold chain of the complainant, co-accused Rekha Devi snatched a gold chain of the complainant's wife and petitioner no.2 Jitni Devi threw bricks on the complainant causing injury.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. It is further submitted that the money was given to co-accused Ranjan Kumar Singh though there is no proof with regard to payment of money and the accusation of snatching a gold chain is only against petitioner no. 2.

It appears that notice were issued to O.P. NO. 2 by a Bench of this Court vide order dated 18.12.2018. The office note dated 11.3.2019 reflects that the O.P. No. 2 refused to accept the notice, in the circumstances, vide order dated 14.3.2019, the notice issued to O.P. No. 2 was accepted to be validly served. Today also, none appears for the O.P. No. 2.

Considering the fact that the accusation has been



levelled in the background of a dispute with regard to passage through a complaint, 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 VIII, Patna, in connection with Complaint Case No. 3983 of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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