

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81135 of 2019

Arising Out of PS. Case No.-897 Year-2019 Thana- NAWADA District- Nawada

1. RAMCHANDRA PRASAD Son of Ram Prasad Saw Resident of Mohalla- Station Road, Western Gali Towards Devi Mandir, P.S.- Town (Nawada), District- Nawada.
2. Prahalad Prasad @ Prahalad Prasad Verma Son of Ram Prasad Saw Resident of Mohalla- Station Road, Western Gali Towards Devi Mandir, P.S.- Town (Nawada), District- Nawada.
3. Arvind Kumar Son of Ram Prasad Saw Resident of Mohalla- Station Road, Western Gali Towards Devi Mandir, P.S.- Town (Nawada), District- Nawada.
4. Rajesh Kumar Son of Ram Prasad Saw Resident of Mohalla- Station Road, Western Gali Towards Devi Mandir, P.S.- Town (Nawada), District- Nawada.
5. Rakesh Kumar @ Golda Son of Ram Prasad Saw Resident of Mohalla- Station Road, Western Gali Towards Devi Mandir, P.S.- Town (Nawada), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsels for the parties.

The petitioners being brothers of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341,323,504,354B,506,307 and 406 of the IPC.

The prosecution case as per the written report of Saloni Kumari submitted to the SHO, Nawada Town Police Station is



to the effect that her late husband has six brothers. Though the informant was married in 2016 but in 2019 due to ailment and lack of care by other brothers, he died and thereafter, the shop of the informant was being locked and she was not being allowed to enjoy her share of property in the joint family house. It is also alleged that the petitioner Rakesh Kumar assaulted the informant and wanted to have physical relationship with her.

It is submitted by learned counsel for the petitioners that the shop is joint family property and in the background of said dispute, the accusation has been levelled. There is no injury report on record. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation is general and omnibus against all the petitioners.

Considering the accusation being levelled in the background of share dispute in property and the same not being corroborated by any medical opinion, 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 CJM, Nawada in



connection with Town (Nawada) .P.S. Case No. 897 of 2019
subject to the conditions laid down in Section 438(2) of the
Cr.P.C.

The bail bonds of the petitioners will be accepted by
the learned Court below subject to the filing of their separate
affidavit that they will allow the informant to enjoy her share of
property in the joint family.

(Dinesh Kumar Singh, J)

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