

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81743 of 2019

Arising Out of PS. Case No.-799 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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VINOY KUMAR SINGH Son of Ramanand Singh Resident of Village-
Amba, P.S.- Sahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parijat Saurav

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner who is in custody since 7.11.2019 has
filed the instant application for grant of bail in connection with
Bhagalpur Kotwali (Jogsar) P.S. Case No. 799 of 2019 (District-
Bhagalpur) registered for the offence punishable under sections
447,341,323,384,506 and 379 of the Indian Penal Code.

As per the allegation in the FIR, the full brother of
the informant i.e the petitioner herein forcibly broke open the
lock, entered into the flat of the informant and took away his
articles. Thereafter it is stated that he is demanding Rs. 2 crores
by way of 'rangdari' and is giving threats.

It is submitted by learned counsel for the petitioner



that from perusal of the F.I.R. it would transpire that the matter is one of pure civil dispute between two full brothers relating to the family property. It is further submitted that the matter should have been settled in a civil proceeding and the F.I.R. has been lodged with oblique purpose. The petitioner is in custody since 7.11.2019 and has no criminal antecedent.

The application for bail was opposed by learned APP for the State and learned counsel for the informant.

It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there are serious allegations against him as in the informant's absence the petitioner broke open the lock and entered into the flat which was purchased and exclusively owned by the informant. It is submitted that the matter relates only to property or civil dispute is incorrect and it is not a fit case for bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the allegations in the F.I.R. show it to be in the nature of a property dispute between two full brothers, the Court is inclined to grant bail to the petitioner. Let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Bhagalpur in connection with
Bhagalpur Kotwali (Jogsar) P.S. Case No. 799 of 2019 (District-
Bhagalpur).

(Partha Sarthy, J)

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