

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1185 of 2020

Arising Out of PS. Case No.-314 Year-2019 Thana- PUNPUN District- Patna

Jay Prakash Kumar Singh, S/o Sri Harinandan Singh, Resident of Village-
Madarpur, P.S.- Punpun, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that on 29.11.2019 at 8.00 A.M., the petitioner started abusing and assaulting the husband of the informant for not getting partition of the joint family property, when the informant went to rescue her husband, she was being assaulted by the petitioner by Khanti, as a result, she received head injury. The other accused persons also made assault to the informant and her family members.

It is submitted by learned counsel for the petitioner that the informant is the sister-in-law (Bhabhi) of the petitioner and in the background of a partition dispute of a joint family



property, the accusation has been levelled against the petitioner. It is further submitted that there is no accusation of repeating the blow and injury has been found simple in nature caused by hard and blunt substance. A statement has been made in paragraph 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 of assault.

Considering the genesis of the occurrence being partition dispute of a joint family property and the injury being found simple in nature, coupled with the statement made in paragraph 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 or 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 the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Masaurhi in connection with Punpun P.S. Case No. 314 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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