

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5913 of 2020**

Arising Out of PS. Case No.-3 Year-2019 Thana- MAHILA P.S. District- Lakhisarai

NAWAL KUMAR @ NAWAL PRASAD Son of Jay Narayan Prasad Resident
of Village - Vidyapati Chowk, Ward No. 04, Police Station - Lakhisarai,
District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar sinha, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 02-07-2020 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, in the present case, is seeking
anticipatory bail in connection with Lakhisarai (Mahila)
P.S. Case no. 03 of 2019 registered for the offences under
Sections 448, 341, 504, 354 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner though named in the F.I.R. but there is no
specific allegation against the petitioner, he has been falsely
implicated in this case. Petitioner has got no criminal
antecedent.

Learned A.P.P. for the State has opposed the
prayer for anticipatory bail of the petitioner.



Having regard to the facts and circumstances of the case wherein it appears that this petitioner happens to be the elder brother of the husband of the informant (Bhaisur), a partition suit bearing No. 18/2018 is going on between the parties in which compromise petition is said to have been filed and the same is pending and the allegations, as per submission of the petitioner, is more indicating towards a quarrel between the two co-sharers in the family and there is no specific allegation of any overt act, although the allegations are that the petitioner had entered in the room of the informant and teased her and the wife of the petitioner was also abusing the informant, in the nature of allegations and the relationship of being co-sharers as per partition suit, this court is inclined to enlarge the petitioner on anticipatory bail, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Lakhisarai (Mahila) P.S. Case no. 03 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C.

i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application is allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

