

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24387 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- RANIGANJ District- Araria

1. BUDHDEO BISHWAS Son of Late Madan Bishwas Resident of village - Nandkar, P.S. - Raniganj, Dist. - Araria.
2. Dhiraj Bishwas Son of Bhagwat Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.
3. Mukesh Bishwas Son of Bhagwat Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.
4. Bhagwat Bishwas Son of Late Ajab Lal Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.
5. Shankar Bishwas Son of Late Ajab Lal Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.
6. Mahendra Bishwas Son of Late Giranand Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.
7. Babloo Bishwas Son of Mahendra Bishwas Resident of Village - Randaha, P.S. - Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-09-2020 Heard Mr. Ramesh Kumar Singh, learned counsel

for the petitioners and Mr. Navin Kumar Pandey, Additional

Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection

with Raniganj PS Case No. 130/2020 registered for the offence

punishable under Sections 147, 148, 149, 323, 379, 354(B), 447,

448, 427, 504, 506, 341 of the IPC and 27 of the Arms Act.

3. The allegation, as per FIR, against the petitioner

no.1 Budhdeo Bishwas, is that he threatened the informant and



her mother-in-law by showing fire arm and pulled mother-in-law of the informant and petitioner no. 2 and 3, Dhiraj Bishwas and Mukesh Bishwas started firing in the air, petitioner no. 4, Bhagat Bishwas started breaking the pillar using hammer and Khanti and petitioner no.6, Mahendra Bishwas took away Rs. 40,000/- from the box of the informant and petitioner no.7, Babloo Bashwas snatched gold *Mangalsutra* worth Rs. 45,000/- from the neck of the informant during course of scuffle.

4. Learned counsel for the petitioner submits that both the parties are agnates and there is admitted land dispute between them and a Title Suit bearing No. 196/2019 has been filed by petitioner no.4 against the side of the informant and the same is still pending. Learned counsel also submits that prior to the present FIR, petitioner no.4 had lodged Raniganj PS Case No. 439/2019 registered under Sections 341, 323, 354, 379, 447, 504, 506, 34 IPC against the informant and her family members (Annexure-2).

5. Learned counsel further submits that petitioner no.5, had also lodged Raniganj PS Case No. 75/2020 against husband and other family members of the informant.

6. Learned counsel also submits that the injuries caused to the informant and her mother-in-law were found to be



simple and superficial in nature and the allegation against the petitioners under Sections 354(B) and 379 IPC are super addition and ornamental in nature

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that both the parties are agnates and there is admitted land dispute between them, I am inclined to grant anticipatory bail to the petitioners.

8. Accordingly, all the petitioners, named above, shall be released on anticipatory bail, in the event of their arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Deoraj, learned Additional Chief Judicial Magistrate-VI, Araria in connection with Raniganj PS Case No. 130/2020, subject to the conditions as laid down under Section 438(2) CrPC.

9. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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