

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2735 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- KATRA District- Muzaffarpur

1. PRAVIN KUMAR @ CHHOTAN SINGH, Son of Nawal Kishore Singh, Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.
2. Neelmani @ Mithu, Son of Pravin Kumar, Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.
3. Rani Kumari, Wife of Pravin Kumar, Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.
4. Nawal Kishore Singh, Son of Late Dip Narayan Singh, Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.
5. Geeta Kumari, Wife of Nawal Kishore Singh, Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-02-2020 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being the younger brother and parents of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 447, 448, 380, 504, 506/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Prashant Kumar, recorded by S.I., Amit Kumar, of P.M.C.H. TOP is to the effect that on 03.05.2019 at 5.30 A.M., the



informant was assaulted by his brother and other family members named in the FIR along with 5-6 unknown. It is specifically alleged that petitioner no.1, Pravin Kumar assaulted with butt of the pistol whereas petitioner no.2, Neelmani @ Mithu assaulted with knife on the head of the informant. The occurrence took place on the instigation of petitioner nos. 4 and 5, Nawal Kishore Singh and Geeta Kumar, being father and mother of the informant respectively, who were also present at the place of occurrence. It is also alleged that the accused persons took away sale deed of land and cash amount of Rs.36,000/- from the house of the informant.

It is submitted by learned counsel for the petitioners that in the background of property dispute, the accusation has been levelled against the petitioners. Moreover, for the alleged occurrence of 03.05.2019, the fardbeyan was recorded on 04.05.2019 while the FIR was registered on 25.05.2019 and it reached to the Court of ACJM on 31.05.2019. From the impugned order, it appears that no grievous injury has been caused to the informant. It is further submitted that the petitioners are non-else than the brother, parents and other family members of the informant. A statement has been made in paragraph no.3 of the petition that petitioner nos. 1, 3, 4 and 4



are not having any criminal antecedent whereas petitioner no.2 is accused in one case being Ahiyapur P.S. Case No. 642 of 2019 in which he is on bail.

It is submitted by learned APP for the State that the petitioners are named in the FIR with specific accusation.

Considering the fact that the impugned order does not suggest any grievous injury being caused to the informant, the relationship between the informant and the petitioners and delayed lodging of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 14th ACJM, Muzaffarpur, in connection with Katra P.S. Case No.118 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

