

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16773 of 2020

Arising Out of PS. Case No.-148 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

1. Ravi Kumar Singh, Son of Late Gajadhar Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
2. Varun Singh, Son of Late Gajadhar Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
3. Arun Singh, Son of Late Gajadhar Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
4. Anil Kumar Singh @ Anil Singh, Son of Angad Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
5. Awadhesh Kumar Singh @ Awashesh Singh, Son of Angad Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
6. Ajay Singh, Son of Arun Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
7. Vivek Singh, Son of Arun Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
8. Amarjeet Singh @ Amaerjeet Singh, Son of Arun Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
9. Bharti Devi, Wife of Varun Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.
10. Angad Singh, Son of Late Gajadhar Singh Resident of Village-Daheriya Bhatta (S.T. College, Ward No.45), Katihar (Muffasil), District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh- Sr. Advocate
		Mr. Pawan Kumar Singh- Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Pandey- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-10-2021 Heard the learned Advocate for the petitioners and
the learned APP for the State.



The learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no.6, namely, Ajay Singh as he has been arrested during pendency of this petition.

Permission is accorded.

Accordingly, the application with respect to petitioner no.6 is dismissed as having become infructuous.

The petitioners seek bail in anticipation of their arrest in connection with Katihar (Muffasil) P. S. Case No.148 of 2019, instituted for the offences under Sections 419, 420, 323, 307, 504, 506, 385, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the rest petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the informant has alleged that while she was irrigating her field, in the meantime, the accused persons including the petitioners came and started abusing and assaulting her.

It is next alleged that in course of occurrence petitioner no.2, Varun Singh tied cloth around the neck of the informant and pressed the same with intention to kill her. It is further alleged that petitioner no.1, Ravi Kumar Singh assaulted the informant with lathi. Learned counsel for the petitioners



further submits that the accused persons in conspiracy obtained forged and fabricated documents with regard to the land in question and forcibly took possession of the same and demanded Rs. Five lakhs in shape of ransom. The learned counsel for the petitioners submits that though there is an allegation of assault by lathi and that one of the accused tried to gag the informant by cloth and there is no injury report on record as stated in Para-12 of the petition. Learned counsel for the petitioners further submits that there is land dispute between the parties for which several litigations are pending between them and a Title Suit bearing 190 of 2018 is also pending in the Civil Court, Katihar. There is no specific allegation of assault against the petitioners and allegation of demand of ransom is ornamental in nature to give serious colour to the case.

The learned A.P.P. vehemently opposes the anticipatory bail application and submits that some of the petitioners have criminal antecedents on which the learned counsel for the petitioners submits that two cases were earlier instituted against the petitioners by the same informant. Petitioner no.10 is a person of clean antecedent. So far as petitioner nos.5 and 9 are concerned, against them only one criminal case has been instituted and petitioner nos.1 to 4 and 7



to 8 are concerned, they have been implicated by the present informant by instituting two other cases.

Regard being had to the facts afore-stated, the petitioner nos.1 to 5 and 7 to 10, above-named, in the event of their arrest or surrender before the learned Court below within a period of ten weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mr. Amit Gaurav, learned Judicial Magistrate, 1st Class, Katihar in connection with Katihar (Muffasil) P. S. Case No.148 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, the present application stands disposed off.

(Satyavrat Verma, J)

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