

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22651 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- BIHIA District- Bhojpur

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Raj Kumar Singh, male, aged about 50 years, Son of Late Krishana Singh @
Krishan Kumar Singh, R/o Village- Basdevpur, P.S.- Bihiya, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-05-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Bihiya P.S. Case No. 220 of 2020
instituted for the offences under Sections 341, 323, 504,
506, 354, 379 and 34 of the Indian Penal Code.

The accusation in the F.I.R. is that the son of the
informant was assaulted by the petitioner and others and
was also threatened that in case he reported the matter to



anybody, he would be killed.

It has been submitted on behalf of the petitioner that the son of the informant has not been injured in any manner and the accusation is absolutely false which is for the purposes of feeding fat the old grudge because of a dispute over the partition in the family property.

It has further been submitted that considering the futility of any ensuing litigation, the informant has decided not to prosecute the petitioner any further in this case.

However, the aforesaid statement has been made only on the basis of oral instructions to the learned counsel for the petitioner.

Regard being had to the nature of accusation, the background facts and taking into account that the informant does not wish to prosecute the petitioner any further, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate-VI, Bhojpur at Ara in connection with
Bihiya P.S. Case No. 220 of 2020, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that should the
statement that the informant has decided not to prosecute
the petitioner in this case any further be found to be
incorrect, it would be open for the informant to make
necessary application for cancellation of the bail so granted
to him.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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