

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15704 of 2022

Arising Out of PS. Case No.-590 Year-2019 Thana- FORBESGANJ District- Araria

1. KRISHNA DEO BHAGAT @ KISHUNDEO BHAGAT Son of Ram Lal Bhagat Resident of Ward No. - 13, Bada Shivalai Road, P.S. - Forbesganj, District - Araria.
2. Md. Jamil Akhtar @ Jamil Son of Somai Miya Resident of Ward No.- 23, Alam Tola, P.S. - Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mrs. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
354, 379, 427, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioner no. 1 has antecedent of two cases and petitioner no. 2
has antecedent of one case.

The informant alleges that on 24.06.2019, at about
01:30 p.m., when she along with her daughter were present at
her shop all the four accused persons named in the FIR came to



the shop variously armed and Rajesh Sah abused the informant and took her out of the shop by holding her hair and made her naked on the road. It is next alleged that when her daughter came to save her the accused persons also started molesting and assaulted her and also destroyed goods worth Rs.15,000/- from the informant's shop and when her husband came to save the informant, he was also assaulted with kicks and fists by the accused persons and Rajesh Sah threatened to kill the informant if she would not remove her shop from the land. It is next alleged that the accused persons took away electronic goods worth Rs.5,000/- from the shop of the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case. It is further submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the dispute relates to a shop on the land which the petitioners claimed that the land belongs to them and the informant claims that the land belongs to her. It is next submitted that as far as the allegation of assault and looting of articles are concerned, the same are ornamental in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Forbesganj P.S. Case No. 590 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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