

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51487 of 2021

Arising Out of PS. Case No.-338 Year-2020 Thana- PATNA CITY CHOWK District- Patna

1. AVINASH KUMAR @ RAVI KUMAR Son of Sri Sukhari Mali Resident of Mohalla- Jangali Prasad Lane, Nalapar, P.S.- Chowk, District- Patna.
2. Vikash Kumar @ Gourav Kumar Son of Sri Sukhari Mali Resident of Mohalla- Jangali Prasad Lane, Nalapar, P.S.- Chowk, District- Patna.
3. Raja Kumar Son of Sri Sukhari Mali Resident of Mohalla- Jangali Prasad Lane, Nalapar, P.S.- Chowk, District- Patna.
4. Kisan Kumar @ Santosh Son of Dharmendra Malakar Resident of Mohalla- Jangali Prasad Lane, Nalapar, P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 363, 364, 366, 323, 448, 380, 354 and 504 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners with a view to grab the property of the informant,



abducted the brother of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners have been made accused for ulterior motive by the informant. The counsel for the petitioner has referred to paragraph 58 of the case diary, where the daughter of the victim has been examined. The informant of the present case is the sister of the victim. The daughter of the victim has stated in the above referred paragraph of the case diary that due to property dispute the informant (who is the sister of the victim) has illegally confined her brother only with intention to grab the property belonging to her father. Similar evidence has come in paragraph 46 of the case diary also. Against the informant a petition had also been filed before the competent authority by the victim. Petitioners are cousin brothers of the victim. Due to property dispute, sister of the victim has got the present case instituted against the petitioners. The date of occurrence is said to be 25.08.2020 and the complaint was filed on 09.09.2020. Delay has not been explained by the prosecution. The petitioner Nos.1 and 3 are



ladies.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IVth, Patna City in connection with Chowk P.S. case No.338/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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