

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70959 of 2021

Arising Out of PS. Case No.-629 Year-2017 Thana- BIHTA District- Patna

1. Ramrup Rai, S/O Late Laxman Rai R/O- Vil- Amnabad, P.S.- Bihta, Distt.- Patna.
2. Jitendra Kumar, S/O Ramrup Rai R/O- Vil- Amnabad, P.S.- Bihta, Distt.- Patna.
3. Surendra Rai, S/O Ramrup Rai R/O- Vil- Amnabad, P.S.- Bihta, Distt.- Patna.
4. Munna Kumar @ Munna, S/O Ramrup Rai R/O- Vil- Amnabad, P.S.- Bihta, Distt.- Patna.
5. Kamlesh Rai, S/O Ramrup Rai R/O- Vil- Amnabad, P.S.- Bihta, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 323, 386, 504 and 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners came to her house and asked her to vacate or else



they would kill her. It is next alleged that petitioner no.1 is own brother of her husband and has forcibly taken possession over the agricultural land of informant's husband's share and now, all the accused/ petitioners are intending to coerce her out from the house and also demanding extortion of Rs.5 Lacs, if she intends to remain in the house.

The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is civil in nature for which a criminal case has been instituted. The informant is sister-in-law of petitioner no.1 and aunt of petitioner nos.2 to 5. It is next alleged that they have been falsely implicated as petitioner no.1 is having dispute relating to property with his brother i.e. husband of the informant.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, 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 learned Court below where the case is pending in connection with Bihta P. S. Case No.629 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court, before accepting the bail bonds, shall verify whether any process under Section 82 of the Cr.P.C. has been issued against the petitioners or not. In the event, if any process under Section 82 of the Cr.P.C. has been issued against the petitioners, then the present order shall not be effected.

(Satyavrat Verma, J)

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