

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48001 of 2023

Arising Out of PS. Case No.-695 Year-2022 Thana- KADAMKUAN District- Patna

Ishank Ravi @ Golu @ Ishank @ Golu Son Of Ravi Nandan Sahay Resident
Of Shiv Niketan, D- Block, P.S. Kadam Kuan, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Ms. Soni Shrivastava, learned counsel

appearing on behalf of the petitioner and learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Kadamkuan P.S. Case No. 695 of 2022, registered for the
offences punishable under Sections 341, 323, 354, 504/34 of the
Indian Penal Code.

3. Allegedly while the informant and her husband
were coming to their house, in the meantime, all the FIR named
accused persons, including the petitioner, assaulted her husband
with *lathi* and *danda*. It is further alleged that the petitioner also
inappropriately touched her and misbehaved indecently.

4. Learned counsel appearing on behalf of the
petitioner submits that the prosecution case is out and out a false



case and in fact the material fact has been suppressed that the petitioner is the nephew of the informant and there is pending dispute between the parties with regard to partition of ancestral land, where both the parties have been residing. She next submitted that from narration of the FIR it is evident that the occurrence took place on 30.11.2022 at about 10:30 pm in the night but the FIR has been instituted on 01.12.2022 at about 5:35 in the evening. She further drew the attention of the Court to Annexure-2, the informatory petition bearing No. 4385 of 2022 narrating the entire incident of the long standing dispute.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation *vis a vis* relationship of the informant with the petitioner and the pending dispute with regard to ancestral property, apart from fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial



Magistrate 1st Class, Patna in connection with Kadamkuan P.S.
Case No. 695 of 2022, subject to the conditions laid down in
Section 438(2) Cr.P.C. with the further condition that one of the
bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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