

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62946 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- SANGRAMPUR District- Munger

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BINOD DAS S/O LATE RAMKELAWAN DAS @ RAM KHELAWAN DAS
R/O VILLAGE- KUNDI, P.S- SANGRAMPUR (JETIABAMBAR), DISTT.-
MUNGER.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate.

For the Opposite Party/s: Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 354-B, 448, 379, 504, 506 and 509/34 of the Indian Penal Code.

3. The prosecution case in brief is that on 16.4.2023 when the informant was taking rest in her house, the petitioner who is son of the informant, his wife and daughter came and started abusing her and on protest it is alleged that all the accused persons assaulted her and wrapped her *Saree* in her neck and petitioner with his wife also started pulling the *saree* from both sides. They also took out Rs. 5000/- kept in the box.



The further allegation against the petitioner is that he and his wife also assaulted the informant by fists and slaps.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation against the petitioner is not specific rather general and omnibus in nature. He further submits that from the injury report it transpires that the informant has received simple injury. He next submits that the present case is said to have taken place on 16.4.2023 and First Information Report was lodged on 19.4.2023 i.e. after delay of three days and there is no explanation of delay in filing the present First Information Report. The petitioner is son of the informant. Learned counsel also submits that there is admitted property dispute between the parties.

5. Considering the facts and circumstances of the case that the petitioner is son of the informant and there is admitted property dispute between the parties, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this application is allowed. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of



Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Sangrampur (Tetiya bambur O.P.) P.S. Case No. 107 of 2023, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Anjani Kumar Sharan, J)

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