

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67045 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- CHAKAI District- Jamui

1. Vijay Das Son Of Bhuneshwar Das Resident Of Village - Charghara, P.S. - Chakari, District - Jamui
2. Manjay Das Son Of Bhuneshwar Das Resident Of Village - Charghara, P.S. - Chakari, District - Jamui
3. Bhuneshwar Das Son Of Gobhardhan Das Resident Of Village - Charghara, P.S. - Chakari, District - Jamui
4. Basanti Devi Wife Of Bhuneshwar Das Resident Of Village - Charghara, P.S. - Chakari, District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Chakai P.S. Case No.114 of 2023 registered for the offences punishable under Sections 341, 323, 354(B), 379, 504 and 506/34 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. As per the prosecution story, on 31.03.2023 at about 18.00 hours when the informant was returning her house from the Block office, Chakai, in the meantime, all the accused

persons came from behind and on account of previous dispute started abusing her. It is alleged that when the informant made protest, then the accused persons caught hold of her hair and torn her blouse and also snatched silver chain and Rs.600/- and threatened her of dire consequences.

4. Learned counsel for the petitioners submits that the petitioners and the informant are own family members and they are *gotiyas*. Learned counsel submits that the petitioner no.1 and 2 are the *Devars* of the informant whereas petitioner nos.3 and 4 are elder brother-in-law and elder sister-in-law of the informant and the petitioners have been falsely implicated because of the family dispute. It is submitted that the petitioners have otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission that the petitioners and the informant are own family members, they are *gotiyas*, the petitioner no.1 and 2 are the *Devars* of the informant whereas petitioner nos.3 and 4 are elder brother-in-law and elder sister-in-law of the informant and further submission that the petitioners have been falsely implicated because of the family dispute, they have otherwise no criminal antecedent, in the

circumstances, this Court directs that in case of their arrest/surrender within a period of six weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Ms. Neha Tripathi, learned J.M.- 1st Class, Jamui in connection with Chakai P.S. Case No. 114 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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