

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76467 of 2023

Arising Out of PS. Case No.-921 Year-2022 Thana- PHULWARISHARIF District- Patna

1. RAMADHAR SINGH Son of Late Ram Balak Singh Resident of Village - Bhusaula, Danapur, Police Station - Phulwarisharif, District - Patna
2. Pintu Kumar Son of Ramadhar Singh Resident of Village - Bhusaula, Danapur, Police Station - Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 323, 379, 504, 506, 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that, on 24.07.2022 at about 06:00 P.M., when the informant was preparing food for dinner, in the meantime, two accused persons entered her house and began to ask about her husband. On asking about the reason, they started abusing her. They snatched golden chain worth Rs. 30 gm from her neck on gun point. They also threatened to kill her husband and son.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Both the parties are co-villagers. Petitioners have been falsely implicated in this case due personal grudge. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. Earlier, the son of petitioner no.1 lodged a case against the informant's husband and son. Thereafter, the informant filed the present case to avert the investigation and to put veil on her husband's conduct. There is inordinate and abnormal delay of 8 days in lodging the FIR without assigning any plausible and convincing reason for the said delay. Petitioners have criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is delay in lodging the FIR in the present case, let the above named petitioners, be released on bail, in the event of their 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) each with two



sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Phulwarisharif P.S. Case No. 921 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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