

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42976 of 2024

Arising Out of PS. Case No.-643 Year-2023 Thana- KHAGARIA District- Khagaria

1. Ravish Kumar S/O Kapil Deo Prasad Yadav R/O Ward No 24 Near Bajaj Show Room, Baluahi, Khagaria, P.S. Nagar Thana, Distt-Khagaria(Bihar)
2. Kanchan Kumari W/O Ravish Kumar R/O Ward No 24 Near Bajaj Show Room, Baluahi, Khagaria, P.S. Nagar Thana, Distt-Khagaria(Bihar)
3. Dharendra Chaudhary @Dhirendra Kumar Chaudhary S/O Late Rameshwar Prasad Chaudhary R/O Hajipur, Patel Nagar, Ward No. 20, Khagaria, P.S. Nagar Thana, Distt-Khagaria(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nitin Kumar, Advocate
For the State	:	Mr. Murli Dhar, A.P.P.
For the Informant	:	Mr. Viveka Nand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 22-07-2024 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1.
2. Permission is granted.
3. The anticipatory bail application with respect to the petitioner No. 1 is dismissed as withdrawn.
4. Heard learned counsel for the petitioners and the State.
5. Petitioner Nos. 2 & 3 apprehend arrest in a case registered for the offences punishable under Sections 447, 341, 323, 354(B), 504, 506/34 of the Indian Penal Code.



6. As per the prosecution case, on 25.06.2023 at about 2:20 PM, all the F.I.R. named accused persons including these petitioners entered the house of the informant and started assaulting her and her husband. It is further alleged that the accused persons caught hold of the informant, tore her clothes and threatened to kill her.

7. Learned counsel for the petitioners submits that petitioner No. 2 is *gotni* and petitioner No. 3 is family friend of the informant. As a matter of fact, co-accused Kapildeo Prasad Yadav, who is father-in-law of the informant, gifted some part of his self acquired property to petitioner no. 2 through Gift Deed dated 14.06.2023 and in retaliation to the said transaction, the informant filed this false and concocted case, after inordinate delay of 12 days. It is further submitted that the dispute involved in this case is pre-dominantly civil in nature and in the garb of criminal case informant is trying to settle civil dispute.

8. Learned counsel for the informant vehemently opposed the bail application.

9. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed with respect to petitioner Nos. 2 & 3 and it is ordered that let the above named



petitioner Nos. 2 & 3 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Khagaria P. S. Case No. 643 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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