

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61170 of 2023

Arising Out of PS. Case No.-1889 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Bharat Kumar Singh @ Rana Bharat Singh S/O Late Ram Ayodhya Singh
R/O Village And Post- Bhulahipur, P.S- Ara Town, Distt.- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Singh S/O Late Ram Ayodhya Singh R/O Village And Post-
Bhulahipur, P.S- Ara Town, Distt.- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shilpi Keshri
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2024 Heard learned counsel for the petitioner, learned

counsel for the complainant and learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 380 of the
Indian Penal Code.

3. Petitioner along with other accused persons are said
to have broke the lock of the house of the informant, took the
jewelry and documents and fled away on the motorcycle.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the complainant and the petitioner are
brothers and there is property dispute between them. He also



submits that the petitioner filed a partition suit bearing T.S. No. 167 of 2008 as the complainant was vigorously wasting their ancestral property. He submits that there is case and counter case between the parties. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 01.12.2023 passed in Cr. Misc. No. 72522 of 2023. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and complainant oppose the prayer for bail submit that the petitioner is the main person who threatened the witness during the trial.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 1889 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that petitioner will not threat the witnesses of the case during trial.



7. It is made clear that if the petitioner threatens the witnesses during the trial, the complainant will be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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