

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79193 of 2024

Arising Out of PS. Case No.-375 Year-2024 Thana- GAYA KOTWALI District- Gaya

1. Manoj Kumar Branwal @ Manoj Prasad Varnwal @ Bhagwan Verma Son of Yogendra Prasad Branwal Mohalla- Mallah Toli Nadraganj PS- Civil Lines District- Gaya
2. Sonu Kumar son of Manoj Kumar Branwal @ Manoj Prasad Varnwal @ Bhagwan Verma Mohalla- Mallah Toli Nadraganj PS- Civil Lines District- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and Mr. Rajiv Nayan, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kotwali P.S Case No. 375 of 2024 instituted for the offence under Sections 127(2), 308(2), 326(f), 74, 3(5) of the Indian Penal Code.

3. The case of the prosecution is that the informant has taken a shop from Veena Devi. It has been alleged that after the death of Veena Devi, Manoj Kumar Baranwal (petitioner no.1), Dhiraj Kumar and Sonu Kumar (petitioner no.2) were demanding Rs.10 lakh and threatened her of dire consequences, if



the same was not paid. It is further alleged that on 15.07.2024, they poured petrol on the shop of the informant and put on fire.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have falsely been implicated in this case. During course of argument, learned counsel for the petitioners submitted that admittedly the informant is the tenant of the mother of petitioner no.1 and grandmother of petitioner no.2. A proceeding under Section 107 of Cr.P.C was initiated and in that proceeding, it was found that the informant is neither paying the rent nor vacating his premises and trying to usurp the premises. It is clearly a dispute of tenacy. A statement has been made in para-3 of this petition that the petitioners have no criminal antecedent.

5. Learned APP for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kotwali P.S Case No. 375 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Cheif Judicial Magistrate, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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