

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49869 of 2025**

Arising Out of PS. Case No.-173 Year-2020 Thana- DINARA District- Rohtas

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1. Taramuni Devi W/o Shailendra Singh @ Salen Singh Village- Rupī, P.S.- Dinara, Dist.- Rohtas
 2. Sonu Singh S/o Shailendra Singh @ Salen Singh Village- Rupī, P.S.- Dinara, Dist.- Rohtas
 3. Shailendra Singh @ Salen Singh S/O Late Daresh Singh @ Late Ramdas Singh Village- Rupī, P.S.- Dinara, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Dinara (Bhanas) P.S. Case No. 173 of 2020, registered for the offences punishable under Sections 341, 323, 384 and 504/34 of the Indian Penal Code.

3. Based upon the written report, the informant alleges that since she has no male issue and all her affairs were being managed by her son-in-law, Pankaj Kumar Singh; in course of managing affairs, when her son-in-law went over the plot appertaining to Khata No. 75, Plot No. 05, he was not allowed to plough over the filed by the petitioners, who happen to be



gotiya of the informant. It is further alleged that the Circle Officer has also directed the accused persons, not to disturb the possession of the petitioner, but the accused persons are indulged in threatening and demanding eight katha of land from her share.

4. Learned Advocate for the petitioners contended that in fact both the parties are close agnates and next door neighbours. Since the partition has not taken place in between them by metes and bounds and, in the meanwhile, the informant in collusion with her son-in-law were trying to sell out the land and when the protest was made, the present FIR came to be lodged, in order to pressurize them. Taking note of the aforesaid facts, the petitioners have been accorded the benefit of Section 41 (A) of the Cr.P.C., but later on, after investigation the police submitted charge-sheet under Section 384 of the IPC along with other bailable sections. Hence, the petitioners moved before the learned Sessions Court. It is also submitted that summon was issued upon the petitioners and there is every chance that the petitioner may be taken into custody, as Section 384 of the IPC is cognizable and non-bailable.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that specific allegation has been levelled against the petitioners of



threatening and restraining the son-in-law to enter into her land.

6. Considering the submissions set-forth by learned Advocate for the respective parties and taking note of the fact that the petitioners had been enjoying the benefit of Section 41(A) of the Cr.P.C, and now the charge-sheet has been submitted against the petitioners for the offences under Section 384 and other allied Sections of the IPC and there is chances of their apprehensions, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.5,000/- (five thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Dinara (Bhanas) P.S. Case No. 173 of 2020, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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