

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79475 of 2024

Arising Out of PS. Case No.-441 Year-2024 Thana- RAJIVNAGAR District- Patna

1. Sunil Kumar @ Sunil Kumar Barnwal Son of Late Hanuman Lal R/O- Ramnagari More Ashiyana Digha Road P.S- Rajiv Nagar Dist- Patna
2. Vikash Kumar Barnwal son of Sunil Kumar @ Sunil Kumar Barnwal R/O- Ramnagari More Ashiyana Digha Road P.S- Rajiv Nagar Dist- Patna
3. Rahul Kumar @ Rahul Kumar Barnwal son of Sunil Kumar @ Sunil Kumar Barnwal R/O- Ramnagari More Ashiyana Digha Road P.S- Rajiv Nagar Dist- Patna
4. Md Choutu @ Md Noushad @ Chhotu son of Abdul Rauf village- Velal masjid, Samanpura, Raja Bazar, ps- Shastrinagar, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr.Adv. Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Mr.Choubey Jawahar, APP Mr. Kamlesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-01-2025 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 offence under Sections 305, 331(4), 61(2), 338, 336(3) & 3(5) of Bhartiya Nagrik Suraksha Sanhita, 2023.

3. It is alleged that petitioner no. 4, in connivance with other petitioners, took out the Gym equipments and fixtures from the premises, which belong to the informant, and also prepared forged documents with an intention to forcibly occupy the Gym premises.



4. Learned counsel for the petitioners submits that petitioner no. 1 to 3 are landlord of the premises, in which Gym was operating, and the same was given on rent to petitioner no. 4 (copy of agreement at Annexure -2). The electricity connection was also in the name of petitioner no. 4. In fact, informant and others have threatened petitioners due to disconnection of electricity and in order to harass them, this false and concocted case has been lodged. As a matter of fact, the dispute between the parties is over the premises and to put pressure upon these petitioners to settle the dispute, this false and concocted case has been lodged. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the bail petition. Learned counsel for the informant submits that the alleged Gym equipment were recovered by the police at the instance of petitioner no. 4 and during course of investigation, some of the witnesses have stated that the said Gym was jointly run by petitioner no. 4 and informant.

6. However, considering the nature of dispute between the parties and clean antecedent of petitioners, the prayer for anticipatory bail of petitioners is allowed.



7. Accordingly, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II, Patna in connection with Rajiv Nagar P.S. Case No. 441 of 2024, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

