

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62048 of 2017

Arising Out of PS. Case No.-178 Year-2017 Thana- SIRDALA District- Nawada

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1. Vijay Rajvanshi, S/o- Lakhan Rajvanshi, null
 2. Anil Rajvanshi, S/o-Lakhan Rajbanshi, Both R/o-Village/
Mohalla- Kasiyadih, P.S.- Sirdala, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-01-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323, 504, 506, 307 and 325/34 of the IPC.

The prosecution case is that on 26.07.2017 at 8 AM, the informant, Karu Rajvansi and his brother Dinesh Rajvansi were sitting near a bridge, when the accused persons including the petitioners came and assaulted the informant and his brother. It is alleged that petitioner no.1, Vijay Rajvansi assaulted with Khanti on the head of Pramod Rajvansi, whereas co-accused Manoj Rajvansi (non-petitioner) assaulted with Khanti, causing fracture injury on the hand of Dinesh Rajvansi. Co-accused Lakhan Rajvansi assaulted the informant, Karu Rajvansi causing



injury on his head. In the meantime, co-accused Tuntun Devi, Gayetri Devi and Reena Devi came and assaulted the informant.

It is submitted by learned counsel for the petitioners that the petitioners are the agnates of the informant. The specific accusation of making assault has been levelled only against petitioner no.1, Vijay Rajwansi to have assaulted Pramod Rajwansi. The injury of Pramod Rajwansi has been found to be simple in nature. There is no specific accusation of assault against petitioner no.2, Anil Rajwansi. There is counter version of the occurrence also and the case lodged by petitioners' side is at earlier point of time. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that the FIR lodged by the petitioners' side is at earlier point of time and the injury of Pramod Rajwansi has been found to be simple, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-V, Nawada in connection with Sirdala P.S. Case No. 178 of 2017, subject to the condition as



laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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