

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.54688 of 2019**

Arising Out of PS. Case No.-185 Year-2019 Thana- EKANGARSARAI District- Nalanda

1. Ram Chandrabansi @ Rama @ Praduman Prasad @ Praduman Kumar aged about 18 years (male) son of Tuntun Ram @ Tuntun Shing, resident of Islampur Road, Ekangarsarai, Police Station Ekangarsarai, District Nalanda.
2. Karu Kumar @ Raja aged about 20 years (m) son of Bhikhari Prasad, resident of Patel Gali, Gupta Printing Press Ekangarsarai, Police Station Ekangarsarai, District Nalanda
3. Saurabh Kumar aged about 19 years (m) son of Mahendra Yadav, resident of village Atram Chak, Police Station Ekangarsarai, District Nalanda

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Anil Kumar Singh, Advocate  
For the Opposite Party : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      30-08-2019                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 342, 323, 325, 337, 353, 379, 504 and 506/34 of the Indian Penal Code registered in connection with Ekangarsarai P.S. Case No. 185 of 2019.

3. It is submitted that the petitioners have been falsely implicated as evident from perusal of the FIR itself, in the first part of the FIR, the incident of the preceding day has been narrated involving threats to a teacher of the school by the three petitioners and 10-12 unknown persons. In the second part of the FIR, some boys are said to have assaulted the teacher and snatched his gold chain, wrist watch and cash. It is therefore submitted that the petitioners having been identified in the incident of the preceding day, they would have been named and identified as the persons



having committed assault and snatching but such accusation has been made against some identified boys. The injured teacher has been medically examined and the doctor has opined that the injuries are simple. The petitioner nos. 1 and 2 are accused in two prior cases while petitioner no. 3 claims clean antecedents.

4. Having regard to the nature of accusations and gravity of offence alleged and considering the criminal antecedents of petitioner nos. 1 and 2, namely, Ram Chandrabansi @ Rama @ Praduman Prasad @ Praduman Kumar and Karu Kumar @ Raja, this Court is not inclined to grant anticipatory bail to them. Their anticipatory bail petition stands dismissed.

5. If the petitioner nos. 1 and 2 surrender and seek regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

6. As regards petitioner no. 3, namely, Saurabh Kumar, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, let him be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 185 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of petitioner no. 3.

(ii) That petitioner no. 3 shall not indulge in any similar offence till conclusion of the trial.

(iii) That petitioner no. 3 shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.



(iv) That petitioner no. 3 shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Vikash Jain, J)**

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