

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17379 of 2020**

1. Brajesh Kumar

2. Gaurav Kumar

Both sons of Bijendra Ram, R/o village- Sohagi, P.S.- Gaurichak, District-
Patna Petitioners

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 20-07-2020 Heard learned counsel for the petitioners and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioners in the present case are seeking pre-arrest
bail in connection with Gaurichak P.S. Case No. 397 of 2019
registered for the offences punishable under Sections 341, 307, 504
of the Indian Penal Code.

Learned counsel for the petitioners submits that on perusal
of the First Information Report itself it will appear that these
petitioners are not named in the FIR. The only accused against whom
there is an allegation is Raju Ravi Das who had allegedly abused and
assaulted one Ranjit Mahto.

Learned counsel submits that the petitioners have been
falsely implicated in the present case as while filing a supplementary
chargesheet the police has incorporated the name of these petitioners
but without adding Section 34 IPC.

Learned APP for the State has though opposed the prayer



for anticipatory bail of the petitioners but considering the First Information Report wherein the only allegation is against one Raju Ravi Das and these petitioners are not named therein and no overt act has been alleged against them as also they have no criminal antecedent, let the petitioners above named in the event of their arrest or surrender within a period of six weeks from today in connection with Gaurichak P.S. Case No. 397 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Patna City, Patna, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

