

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22678 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- MAGADH UNIVERSITY District- Gaya

1. Ranchhore @ Ravi, Male, aged about 22 years, Son of Ram Sewak Yadav, Resident of Village - Asni, P.S.- Magadh University, Distt.- Gaya.
2. Ravi Ranjan @ Amit Ranjan @ Amit Aryan, Male, aged about 19 years, Son of Ram Sewak Yadav, Resident of Village - Asni, P.S.- Magadh University, Distt.- Gaya.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Binod Kumar, Advocate.
For the Informant	:	Mr. Sheojee Mishra, Advocate.
For the Opposite Party	:	Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Magadh University P.S. Case No. 101/2020 for the offence registered under Sections 147, 148, 149, 323, 324, 307, 341, 504 and 506 of the I.P.C.

The prosecution story, in brief, is that on 22.08.2020 at about 6.15 O'clock, the informant Rajesh Kumar alongwith



his uncles was sitting at his door. In the meantime, accused persons armed with Lathi-Danda, rod, Farsa, Khanti and Garasa came, abused and assaulted them. On hulla, his cousin grandmother and his cousin brother Chandan came who were also assaulted by the accused persons. Co-accused Ram Nandan Prasad gave Khanti blow to his uncle Mithilesh Kumar, as a result of which, his head was broken. Co-accused Ram Sewak Yadav gave Garasa blow on the head of the informant, as a result of which, his head was broken. Co-accused Surendra Yadav was assaulting with the Farsa. Co-accused Radha Mohan Yadav and Kalyan Yadav armed with rod and Garasa also assaulted the informant party, as a result of which, cousin uncle of the informant, namely, Upendra Yadav became injured. Accused persons threatened to kill the informant party. The informant party got treated in J.P.N. Hospital, Gaya and injured Mithilesh Kumar was referred to Patna for treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against



the petitioners. The specific allegation of assault upon the informant and his uncles is alleged against co-accused persons, Ram Nandan Prasad, Ram Sewak Yadav, Surendra Yadav, Radha Mohan Yadav and Kalyan Yadav. Altogether 10 persons are named in the F.I.R. The occurrence is said to have taken place on 22.08.2020 as to when the case was instituted on 02.09.2020. Delay has not been explained by the prosecution. There is case and counter case between the parties. Injury on the accused side has not been explained by the prosecution. Other co-accused have been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 22266 of 2021 under order dated 25.03.2021.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned Judicial Magistrate, Gaya, in connection with Magadh University P.S. Case No. 101 of 2020, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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