

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48309 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- TEKARI District- Gaya

1. Subodh Kumar @ Subodh Rajak Son of Late Munni Ram Resident of Village - Mau, P.S.- Tekari, Distt.- Gaya.
2. Milan Rajak @ Ravi Ranjan Rajak @ Ravi Ranjan Kumar Son of Late Munni Ram Resident of Village - Mau, P.S.- Tekari, Distt.- Gaya.
3. Manoj Kumar Rajak @ Manoj Rajak Son of Late Mundrika Rajak Resident of Village - Mau, P.S.- Tekari, Distt.- Gaya.
4. Ram Kumar Rajak @ Badi Dhuvi Son of Mundrika Rajak Resident of Village - Mau, P.S.- Tekari, Distt.- Gaya.
5. Nitish Kumar Son of Manoj Rajak Resident of Village - Mau, P.S.- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Advocate.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-09-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks from today.

Learned counsel appearing for the petitioners seeks permission to withdraw this application, as petitioner nos. 1, 3 and 5, namely, Subodh Kumar @ Subodh Rajak, Manoj Kumar Rajak @ Manoj Kumar and Nitish Kumar have been arrested by the police.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner nos. 1, 3 and 5, namely, Subodh Kumar @



Subodh Rajak, Manoj Kumar Rajak @ Manoj Kumar and Nitish Kumar.

Heard learned counsel for the petitioner nos. 2 and 4, namely, Milan Rajak @ Ravi Ranjan Rajak @ Ravi Ranjan and Ram Kumar Rajak @ Badi Dhuvi and the learned A.P.P. for the State.

The petitioner nos. 2 and 4, namely, Milan Rajak @ Ravi Ranjan Rajak @ Ravi Ranjan and Ram Kumar Rajak @ Badi Dhuvi apprehend their arrest in connection with Tekari (Mau O.P.) P.S. Case No. 198 of 2021, registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The accusation is that while the informant, Surendra Prasad, was going to market then in the way, hot talk started with Raja Kumar Ram but anyhow informant moved from there then Raja Kumar Ram took lathi from his house and caused injury at the head of his son, Nitish Kumar, who was also in the way of market. On raising alarm, his wife, who was also in the way, proceeded to that direction then Rohit Kumar caused injury to his wife through lathi. Thereafter, Subodh Rajak (petitioner no.1), Milan Rajak (petitioner no.2), Manoj Rajak (petitioner no.3), Ram Kumar @ Bari Dhobi (petitioner no.4) and Nitish Kumar (petitioner no.5) also proceeded from there abusing his wife.

Learned counsel for the petitioner nos. 2 and 4, namely, Milan Rajak @ Ravi Ranjan Rajak @ Ravi Ranjan and Ram Kumar Rajak @ Badi Dhuvi submits that while both petitioners are named in



the FIR but no specific over act has been attributed against them, in fact, only allegation has been made against petitioner nos. 2 and 4 to abuse the wife of the informant. Further submission is that petitioner nos. 2 and 4 have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner nos. 2 and 4, namely, Milan Rajak @ Ravi Ranjan Rajak @ Ravi Ranjan and Ram Kumar Rajak @ Badi Dhuvi, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Gaya, in connection with Tekari (Mau O.P.) P.S. Case No. 198 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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