

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38758 of 2020

Arising Out of PS. Case No.-382 Year-2019 Thana- SIRDALA District- Nawada

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1. Amarjeet Rajvanshi, S/o Jatan Rajvanshi, Resident of Village-Hemza Bharat, P.S.-Sirdala, District-Nawada.
 2. Rahul Rajvanshi, S/o Bhola Rajvanshi, Resident of Village-Hemza Bharat, P.S.-Sirdala, District-Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Krishna Deo Raj, Advocate.

For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sirdala P.S. Case No. 382/2019 for the offence registered under Sections 341, 323, 326 and 307 of the I.P.C.

The prosecution story, in brief, is that on 31.08.2019 at 8.00 P.M. when the informant was sitting at his house, Amarjeet Rajvanshi (petitioner no. 1) came there and told that co-accused Rajesh Rajvanshi was calling, thereafter the



informant's grand-son went there and after lapse of more time when Vikash Kumar did not return, his mother went to call her son Vikash Kumar where Rajesh told that Vikash has not come here and thereafter she came to her house. After some times there was hulla of Mar-pit then she went there and found the blood stain on the shirt of co-accused Rajesh Rajvanshi, she asked him about Vikash Kumar then she was informed that some one has beaten her son and after that she came to the informant in worried condition and informed him, then they went there and saw that Vikash Kumar is senseless and blood is oozing out from his eye and he was pool of blood. After that her son was brought to hospital and when asked from Vikash Kumar he told that all the accused persons including the petitioners beaten him and damaged his eye.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Weapon used in the occurrence has also not been disclosed by the prosecution. The alleged



occurrence has taken place on 31.08.2019 as to when the case was instituted on 02.09.2019. Delay has not been explained by the prosecution. Similarly situated co-accused Rajesh Rajvanshi has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 38533 of 2020 under order dated 17.08.2021.

On behalf of the State, it is 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Nawada, in connection with Sirdala P.S. Case No. 382/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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