

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35203 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- BARABAR TOURIST District- Jehanabad

1. RAHUL KUMAR Son of Ramashray Yadav Resident of Village - Kanhaiya Bigha, P.s.- Barabar Paryatan (Bishunganj O.P.), Dist.- Jehanabad.
2. Raushan Kumar Son of Ramashray Yadav Resident of Village - Kanhaiya Bigha, P.s.- Barabar Paryatan (Bishunganj O.P.), Dist.- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 325, 427, 504, 506, 436, 452 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that accused persons, including the petitioners, entered his house and assaulted his wife and daughter with an iron rod and also assaulted him, Ganesh and Pratima, further snatched earrings of Simpal Kumari worth Rs.10,000/-.



Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that allegation of assault is general and omnibus in nature i.e., no specific allegation is alleged against any of the petitioners, it is also submitted that petitioner no.1 is 25 years of age and petitioner no.2 is a young boy of 22 years and if they are sent to jail based on such general and ominous allegations then their entire career would be jeopardized and chances are bright that they may come in contact with hardened criminals when admittedly they are persons with clean antecedent. It is further submitted that though one of the injuries suffered by Pratima is grievous in nature but then there is no specific allegation that who assaulted her.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six 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 court below where



the case is pending/successor court in connection with Barabar
Paryatan P.S. Case No. 59 of 2021 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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