

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44930 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SAUR BAZAR District- Saharsa

RAMDEO RAJAK SON OF LATE SHIV PRASAD RAJAK Resident of
Village - Uaonti navtoliya, Panchayat Golma Purvi, Ward No.15, P.S.- Sour
Bazar (Patarghat o.p.), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45517 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SAUR BAZAR District- Saharsa

1. KANCHAN DEVI W/O RAMDEO RAJAK R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa
2. Anjo Devi W/o Umesh Rajak R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa
3. Umesh Rajak S/o Late Narayan Rajak R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa
4. Gurudeo Rajak S/o Late Narayan Rajak R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa
5. Bharat Rajak S/o Late Narayan Rajak R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa
6. Bimlesh Rajak @ Bimlesh Kumar Rajak S/o Umesh Rajak R/o village- Uaonti Navtoliya, Panchayat Golma Purvi, Ward No. 15, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 44930 of 2021)

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

(In CRIMINAL MISCELLANEOUS No. 45517 of 2021)

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR



ORAL ORDER

5 05-04-2022

Re. Cr. Misc. No. 44930 of 2021

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State files the F.S.L. report which is taken on record.

The petitioner apprehends his arrest in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 10/2021 registered for the offences punishable under Sections 147/148/149/341/323/504/506/307/302 of the Indian Penal Code.

It has been contended by learned counsel for the petitioner that the petitioner (Ramdeo Rajak) is employed as a cook in the State Government and the allegations against him are general and omnibus. He also submits that there is no chance of his absconding.

Considering the aforesaid submissions and also the facts and circumstances of the case, the present anticipatory bail application is allowed.



Accordingly, let the **petitioner (Ramdeo Rajak)** be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 10/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Re. Cr. Misc. No. 45517 of 2021

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 10/2021 registered for the offences punishable under Sections 147/148/149/341/323/504/506/307/302 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioners that so far as petitioners No. 1 and 2 are concerned, they are ladies and their names have been included in the F.I.R.



due to *malafide* intention and it is not expected that they will participate in the killing of the deceased. He also submits that there is no chance of their absconding.

Considering the facts and circumstances, the present anticipatory bail application of **Petitioner No. 1 (Kanchan Devi) and Petitioner No. 2 (Anjo Devi)** is allowed.

Accordingly, let the petitioners No. 1 and 2 above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 10/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioners No. 3, 4, 5 and 6 are concerned, they are said to have assaulted the deceased who has sustained *anti mortem* injury and died.

In the opinion of this Court, they do not deserve the privilege of anticipatory bail. It is, accordingly, dismissed.

(Sandeep Kumar, J)

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