

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69793 of 2021**

Arising Out of PS. Case No.-1149 Year-2019 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. UMESH RAM
 2. Raj Kumar Ram @ Raj Kumar @ Dhanjee @ Dhabaji Kumar
Both Sons of Bani Ram @ Rajendra Ram, R/o village- Nokha, Ward No. 12,
P.S.- Nokha, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandrawati Devi W/o Laljee Ram R/o village- Nokha, Ward No. 12, P.S.-
Nokha, District- Rohtas at Sasaram

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defects as pointed out by the office within three
weeks on resumption of physical mode, failing which the office
is directed to place the matter before the Bench.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
325, 354, 380, 457 of the Indian Penal Code.

Prosecution case, in brief, is that as per the



complaint petition filed on behalf of the complainant, Chandrawati Devi, the occurrence took place on 06.12.2019 at 7 a.m. The complainant was cooking meal in her house, in the meanwhile, the co- accused Surendra Ram started assaulting her when her son Vivek, Vikash and her Gotni came to rescue, they were assaulted by the petitioners and co-accused persons. When Sanju Devi came to rescue her, she was assaulted by Umesh Ram & Dhanjee Ram with lathi by catching her breast and hair, Pintu also assaulted below her eye with lathi.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The complainant as well as the petitioners are own agnates and only due to cooking of food in the house the present complaint has been lodged. He further submits that the occurrence took place on 06.12.2019 and the Complaint Petition was filed on 09.12.2019 after delay of 03 days. He further submits that the complainant is the aunti of the petitioners and due to land dispute the present case has been lodged. He further submits that the Additional Sessions Judge-21st, Rohtas at Sasaram has found that the injury sustained by the injured/victims are simple in nature and the petitioners have no criminal antecedent, which is mentioned at para 3 of the bail



petition.

Learned APP for the State vehemently opposed the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 1149/2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

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