

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60658 of 2022

Arising Out of PS. Case No.-112 Year-2022 Thana- SARAI RANJAN District- Samastipur

1. SUKOMAL PANDIT S/O RAMANUJ PANDIT
2. BIPIN KUMAR S/O RAM SUBHAK MAHTO
3. SONU RAI S/O BASUDEO RAI
4. SUNIL RAI S/O BASUDEO RAI
5. AJEET RAI S/O BASUDEO RAI
6. BASUDEO RAI S/O AMIRI RAI
7. NEERAJ KUMAR S/O RAMBILASH MAHTO

All Resident of village- Musapur, P.S.- Sarairanjan (Ghatoo O.P.), District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 120(B), 147,149,323,341,379,380,395,504,506 of IPC.

The prosecution case, in short, is that the allegation is that the petitioners alongwith other co-accused persons armed with garasa, iron rod, lathi, farsa, hockey stick came and abused and damaged the articles of milk centre and committed loot of



50 bags Sudha dana, 30 bags choker and brought on the Tractor of accused Ramanuj Pandit and Ajit Rai and also took away analyzer weighing machine, 15 milk cane and they also damaged the other articles and two wheeler vehicle and when police came at the place of occurrence the accused persons also attacked on police jeep in which some police personnel also sustained injuries.

The present FIR has been instituted on the basis of the complaint petition filed by the informant/complainant bearing Complaint Case No.461 of 2022 and subsequently the same was sent under the provisions of Section 156 (3) of the Cr.P.C. to the S.H.O., Sarairanjan and the present FIR has been instituted against the petitioners.

Learned counsel for the petitioners submits that the allegation as alleged in the FIR is false and fabricated, no such occurrence took place and the petitioners have falsely been implicated in the present case. Further submits that there is no injury report available on the record. Further submits that all the cases filed by the present informant/complainant and their family members against the petitioners.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of these



petitioners. Further submits that the petitioner No.1 carries nine more cases, petitioner No.2 carries two more cases, petitioner No.3 carries two more cases, petitioner No.4 carries two more cases, petitioner No.5 carries three more cases, petitioner No.6 carries two more cases, and petitioner No.7 carries one more case other than the present one.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sarairanjan (Ghatoo O.P.) P.S. Case No. 112 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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