

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28651 of 2023

Arising Out of PS. Case No.-572 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. Vijay Kumar @ Vijay Prajapati Son Of Surendra Prajapati R/O-Khilanganj, P.S.-Sasaram, Distt.-Rohtas
2. Shankar Prajapati @ Shankar Kumar Son Of Surendra Prajapati R/O-Khilanganj, P.S.-Sasaram, Distt.-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

Mr. Aakib Khan, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Sasaram (T) P.S. Case No.572 of 2022 registered for the offences punishable under Sections 341, 323, 448, 307, 379, 504 and 506/34 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. The prosecution case in brief is that on 12.07.2022 at about 2 to 3 P.M. both the petitioners being parents of students came in the informant's school known as Delhi Education School, Sasaram. It is alleged that when the informant demanded dues of fee and books they started to abuse him. Thereafter, 8-10 unknown persons entered into the school



armed with iron rod and lathi and started assaulting the informant by saying that they will not give the money due to which the informant suffered injury on his head. The accused persons also took away Rs.55,000/- from the office counter. It is further alleged that the accused persons snatched away golden chain, wrist watch and mobile of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the present case is a counter blast of Sasaram (T) P.S. Case No.571 of 2022 lodged by the daughter of petitioner no.1 against the informant. It is submitted that the allegations are general and omnibus and there is no injury report on the record.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission that the present case has been lodged by the management of the school as a counter blast to the Sasaram (T) P.S. Case No.571 of 2022 registered under Sections 354/354(B) of the Indian Penal Code against the informant by the daughter of petitioner no.1 and further considering the submission that the allegations are general and omnibus, there is no injury report on the record and



the petitioners have otherwise no criminal antecedents, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 572 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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 antecedent, 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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