

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33241 of 2023

Arising Out of PS. Case No.-676 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Bobby Rajak @ Bobby Rajak @ Vikash Kumar Son Of Babu Saheb Rajak Resident Of Village- Ratanpur Bishnupur Chaturbhuj, Ps- Muffasil, Ratanpur O.P., Distt- Begusarai
 2. Sanni Rajak @ Sunny Kumar Son Of Babu Saheb Rajak Resident Of Village- Ratanpur Bishnupur Chaturbhuj, Ps- Muffasil, Ratanpur O.P., Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 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 Muffasil P.S. Case No.676 of 2022 registered for the offences punishable under Sections 341, 323, 307, 427, 448, 354(B), 379 and 504/34 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. As per the prosecution story, all the accused persons including these petitioners came at the house of the informant having lathi, danda and iron rods in their hands and started to abuse the informant. When the informant made



protest, then on the order of one Rakesh Rajak, all the accused persons started to assault the informant. The informant further alleges that the accused-petitioners pulled her saree due to which she became semi-naked.

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 specific allegation of causing assault is against co-accused Rajkumar Rajak.

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

6. Having regard to the facts and circumstances of the case, there being a case and counter case, a land dispute between the parties and the fact that the specific allegation of causing assault is against co-accused Rajkumar Rajak, the submission that an ornamental allegation has been made against them that they pulled the saree of the informant, 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, Begusarai in connection with Muffasil P.S. Case No. 676 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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