

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41119 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- KAJRA District- Lakhisarai

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1. Robil Kumar @ Robin Kumar S/O Amrik Yadav R/O Village- Ramtaliganj, P.S- Kajra, Distt.- Lakhisarai.
 2. Shyam Yadav S/O Late Kishun Yadav R/O Village- Ramtaliganj, P.S- Kajra, Distt.- Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 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 Kajra P.S. Case No. 15 of 2023 registered for the offences punishable under Sections 147, 149, 341, 342, 323, 324, 307, 325, 504 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 28.01.2023 at 07:00 P.M., all the accused persons including these petitioners surrounded the informant and assaulted him with tangi, *sawal* and bricks. It is alleged that Shyam Yadav (petitioner no. 2) pushed him and Deepak Kumar assaulted him on his face with *baishaki*. It is further alleged that Robil Kumar (petitioner no. 1)



repeatedly assaulted him with *sawal* as a result of which his arm and leg got fractured. It is also alleged that Sahindar Kumar came there in inebriated condition and assaulted on his face.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is case and counter case between the parties.

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

6. Having regard to the facts and circumstances of the case wherein this Court has noticed that there is a case and counter case between the parties against each other, the informant alleges that several persons had assaulted him, however, injury report (Annexure '3') shows only one injury above up to 3/4" below right eye caused by hard and blunt substance, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Kajra P.S. Case No. 15 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Lakhisarai, 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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