

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44073 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- RAJPUR District- Buxar

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1. Ashok Kumar @ Ashok Singh, aged about 32 years, Male, S/o Janardan Singh, R/o Village- Harpur, P.S- Rajpur, Distt.- Buxar.
 2. Babloo Kumar @ Chunnu Singh, aged about 29 years, Male, S/o Janardan Singh, R/o Village- Harpur, P.S- Rajpur, Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party	:	Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rajpur P.S. Case No. 299 of 2022 dated 18.10.2022, instituted for the offence punishable under Sections 341, 342, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, on 16.10.2022, informant's son was wrongfully confined in the house of Om Prakash Singh. When the informant reached the place of occurrence, he found that the petitioners along with other named accused persons were assaulting the informant's son with intention to kill. It is further alleged that they also stole the victim's mobile phone,



gold chain and cash worth of Rs. 30,000/-

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. The entire allegations levelled against the petitioners are false and concocted. There is a counter case *vide* Rajpur P.S. Case No. 300 of 2022 dated 18.10.2022 under Sections 447, 354, 376 & 511 of the Indian Penal Code which was lodged by Munni Devi against the son of the informant, namely, Amit Kumar, who entered in the house of Munni Devi with a bad intention to commit rape of younger daughter-in-law of Munni Devi and on hulla, the said Amit Kumar was trying to flee but he fell down from stair due to which he got injured in his leg and the, police was informed by Munni Devi, who took him to hospital for treatment. Further, it is submitted that the petitioners are agnates of said Munni Devi and they have not assaulted the informant's son, he sustained injury due to fall from the stair. Lastly, it has been submitted that they have one criminal cases against them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Rajpur P.S. Case No. 299 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar, subject to condition as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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