

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49584 of 2022**

Arising Out of PS. Case No.-314 Year-2021 Thana- ARA NAGAR District- Bhojpur

1. RAJA @ ROHIT KUMAR @ ROHIT KUMAR RAJAK Son of Om Prakash Rajak Resident of Ward No.- 7, Mirganj, P.S.- Arrah Nagar, Dist.- Bhojpur.
2. Shyam Rajak @ Chhotu @ Shyam Babu Son of Late Rajeshwar Prasad Resident of Ward No.- 7, Mirganj, P.S.- Arrah Nagar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                       |
|----------------------|---|---------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Saurav Anand, Advocate<br>Mr. Sumit Jha, Advocate<br>Mr. Ashok Kumar Jha, Advocate |
| For the State        | : | Mrs. Sharda Kumari, APP                                                               |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

3      15-02-2023                      Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

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 323, 324, 307 and 379 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners along with the co-accused persons assaulted with knife, dagger and



fasuli to the son of the informant and due to which he sustained injuries. It is also alleged that the accused persons took mobile and golden locket of the son of the informant.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. He has further submitted that the petitioners is not named in the F.I.R. The name of the petitioners has sprung up in the confessional statement of the co-accused Jitu Thatera. There is no overt act against the petitioners. Learned counsel has further submitted that the co-accused has been granted bail by the Coordinate Bench vide order dated 16.08.2022 passed in Cr. Misc. No. 4240 of 2022. The petitioners have got clean antecedent as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bonds of



Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of Court concerned, Bhojpur at Ara in connection with Ara (Nagar) P.S. Case No. 314 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

