

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53658 of 2023

Arising Out of PS. Case No.-324 Year-2023 Thana- ROSERA District- Samastipur

1. Naresh Ram @ Ram Naresh Ram Son Of Late Upendra Ram Resident Of Village- Bhiraha Paschim, Ward No. 12, Ps- Rosera, Distt- Samastipur
2. Pramod Ram Son Of Late Upendra Ram Resident Of Village- Bhiraha Paschim, Ward No. 12, Ps- Rosera, Distt- Samastipur
3. Rajesh Ram Son Of Late Upendra Ram Resident Of Village- Bhiraha Paschim, Ward No. 12, Ps- Rosera, Distt- Samastipur
4. Saurabh Kumar Ram @ Saurabh Ram Son Of Pramod Ram Resident Of Village- Bhiraha Paschim, Ward No. 12, Ps- Rosera, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 23-08-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Rosera P.S. Case No. 324 of 2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.
3. The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant on the



alleged date and time of occurrence, whereafter they are stated to have assaulted the informant and his family members.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and the petitioners have not been alleged to have engaged in any sort of specific overt act. It is further submitted that there is no injury report on record of the case to suggest that the informant and his family members have sustained any serious injuries. It is also submitted that the present case arises out of case and counter case, the counter case having been filed by the father of the petitioner no. 3, wherein, it is alleged that the accused persons of the said case had assaulted the grand-father of the petitioner no. 3 resulting in his death.



5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners, they are having a clean antecedent and the present case arises out of case and counter case, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

7. Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate-I, Rosera at Samastipur in connection with Rosera P.S. Case No. 324 of 2023, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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