

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60019 of 2023

Arising Out of PS. Case No.-624 Year-2022 Thana- GAURICHAK District- Patna

1. Sajnu Das @ Sajnu Ravidas, S/O Late Hari Das, Resident of Village- Udaypur, Police Station- Gaurichak, District- Patna
2. Majnu Das @ Majnu Ravidas, S/O Late Hari Das Resident of Village- Udaypur, Police Station- Gaurichak, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Shanker Pankaj, Advocate
For the State : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 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 Gaurichak P.S. Case No. 624 of 2022 registered for the offences punishable under Sections 147, 149, 341, 323, 325, 379, 307, 504, 506 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 14.09.2022 at about 08:30 P.M. when the informant was sitting at his door, one Inderdev Das came there in drunken condition and started abusing him. When the informant protested, the other FIR named accused persons including these petitioners came there armed with weapons and assaulted him. One Inderdev Das assaulted the informant by sword due to which he sustained



head injury. When the informant's brother, son and nephew came to rescue him, the accused persons also assaulted them and caused fracture in the hand of informant's brother. They also snatched Rs.500/- from the pocket of the informant and when he raised *hulla*, all the accused persons fled away.

4. Learned counsel for the petitioners submits that these petitioners are innocent and have been falsely implicated in this case. It is submitted that there are general and omnibus kind of allegations against these petitioners. It is submitted that the allegation against petitioner no. 2 is not supported by the injury report. It is further submitted that four co-accused persons similarly situated with these petitioners have been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 6307 of 2023.

5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it seems that there are general and omnibus allegations against the petitioners, the allegation against petitioner no. 2 is vague and not supported by any injury report and further that four co-accused similarly situated have been granted privilege of anticipatory bail by learned co-ordinate



Bench of this Court in Cr. Misc. No. 6307 of 2023, the petitioners have otherwise no criminal antecedent, hence, 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 Gaurichak P.S. Case No. 624 of 2022 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 Additional Chief Judicial Magistrate VI, Patna City, Patna, 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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