

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68363 of 2021

Arising Out of PS. Case No.-27 Year-2015 Thana- MOHAMMADPUR District- Gopalganj

1. RAMJI PRASAD Son of Rajdhari Prasad Resident of Village - Kushahar, P.S.- Mohammadpur, Distt.- Gopalganj.
2. Pyar Chandra Das Son of Harihar Das Resident of Village - Kushahar, P.S.- Mohammadpur, Distt.- Gopalganj.
3. Chandan Sah Son of Late Roshni Sah Resident of Village - Kushahar, P.S.- Mohammadpur, Distt.- Gopalganj.
4. Ram Pravesh Prasad @ Ram Pravesh Pal Son of Late Bihari Pal Resident of Village - Kushahar, P.S.- Mohammadpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69144 of 2021

Arising Out of PS. Case No.-27 Year-2015 Thana- MOHAMMADPUR District- Gopalganj

1. RANJAN KUMAR GUPTA @ RANJAN PRASAD Son of Late Durga Prasad Resident of Village- Jhajhwa Bazar, P.S. - Mohammadpur, District - Gopalganj.
2. Pappu Kumar Son of Janardhan Prasad Resident of Village- Kushahar, P.S. - Mohammadpur, District - Gopalganj.
3. Amresh Kumar Son of Lalbabu Prasad Resident of Village- Kushahar, P.S. - Mohammadpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68363 of 2021)

For the Petitioner/s : Mr.Rajesh Kumar Singh
Mr.Manish Kumar Singh
Mr.Dharmendra Kr Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad
(In CRIMINAL MISCELLANEOUS No. 69144 of 2021)

For the Petitioner/s : Mr.Manish Kumar Singh
For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**



ORAL ORDER

7 02-02-2023 Learned counsel for the petitioners is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Mohammadpur P.S. Case No. 27 of 2015, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 435, 436, 427, 337, 338, 380, 452, 387 of the Indian Penal Code and u/s 27 of the Arms Act.

As per allegation, the accused persons named in the FIR, including the petitioners came to the purchased land of the informant and demanded ransom. They badly assaulted the members of prosecution side and took away Rs. 4 lacs from their shops.

The specific allegation against petitioner no.1, namely, Ramji Prasad is that he assaulted the informant on his eye with knife and also spread kerosene tankers on fire.

The learned counsel for the petitioners has submitted that two cases were lodged for the same occurrence. First case was lodged by S.H.O. and the local police, who were injured, in which the petitioners were not named. The occurrence had taken



place in the year 2015 and the investigating authorities named the petitioners in supervision note, in the year 2021. He has submitted further that two accused persons on similar footing have been granted anticipatory bail in Cr. Misc. No. 52842 of 2015. The name of the petitioners, for the first time was figured in supervision note in the year 2021, which is the reason for filing anticipatory bail.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that Ramji Prasad is direct assailant and has inflicted knife blow at the eye of the informant, to which the learned counsel for the petitioners has submitted that the injury report of the informant is not available in the case diary.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Mohammadpur P.S. Case No. 27 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.



Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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