

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81397 of 2023

Arising Out of PS. Case No.-193 Year-2023 Thana- JALALPUR District- Saran

1. RAMBABU RAI SON OF LATE GURUCHARAN RAI RESIDENT OF VILLAGE- SANWARI BAKSHI JI, PS- JALALPUR, DISTT- SARAN
2. CHANDAN YADAV @ CHANDAN KUMAR YADAV SON OF RAMBABU RAI RESIDENT OF VILLAGE- SANWARI BAKSHI JI, PS- JALALPUR, DISTT- SARAN
3. YOGENDRA YADAV @ YOGENDRA RAI SON OF LATE GURUCHARAN RAI RESIDENT OF VILLAGE- SANWARI BAKSHI JI, PS- JALALPUR, DISTT- SARAN
4. RANJAN KUMAR RAI @ RANJAN KUMAR YADAV SON OF RAMBABU RAI RESIDENT OF VILLAGE- SANWARI BAKSHI JI, PS- JALALPUR, DISTT- SARAN
5. KUNDAN KUMAR @ KUNDAN KUMAR RAI @ KUNDAN KUMAR YADAV SON OF RAMBABU RAI RESIDENT OF VILLAGE- SANWARI BAKSHI JI, PS- JALALPUR, DISTT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant's side brutally with deadly weapons due to which they sustained



several injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. It is fairly submitted that one of the injuries sustained by the injured was found grievous in nature and the author of the said grievous injury is petitioner no.1. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against petitioner nos. 2 to 5 and the injuries caused by them are simple in nature, let the above named petitioners nos. 2 to 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned lower Court where the case is pending/successor Court in



connection with Jalalpur P.S. Case No. 193 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, there is serious allegation against petitioner no.1 to assault the injured due to which he sustained grievous injury, I am not inclined to enlarge him on anticipatory bail.

8. The prayer for anticipatory bail of the petitioner no.1 is hereby rejected.

9. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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