

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4211 of 2024**

Arising Out of PS. Case No.-364 Year-2023 Thana- NARDIGANJ District- Nawada

1. Sukhdeo Rajbanshi S/O Ojir Rajbanshi R/O Village- Dalelpur Nandgram, Ps. Nardiganj, Dist. Nawada.
2. Vishwakarma Rajvanshi @ Vishwakarma Kumar S/O Sukhdeo Rajbanshi R/O Village- Dalelpur Nandgram, Ps. Nardiganj, Dist. Nawada.
3. Raju Rajbanshi @ Raju Kumar S/O Dani Rajbanshi R/O Village- Dalelpur Nandgram, Ps. Nardiganj, Dist. Nawada.
4. Raushan Rajbanshi S/O Dani Rajbanshi R/O Village- Dalelpur Nandgram, Ps. Nardiganj, Dist. Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate  
For the State : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      19-03-2024                      Heard Mr. Krishna Deo Raj, learned counsel for the  
  
petitioner and Mr. Awadhesh Kumar Singh, learned Additional  
  
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Nardiganj P.S. Case No. 364 of 2023, F.I.R. dated 26.10.2023 for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that from a bare perusal of the FIR it appears that the present FIR is in two parts in the first part there is general and omnibus allegation against all the accused persons including the petitioners and in the second part there is specific allegation of assault is attributed against the co-accused persons, namely, Vishwakarma Rajbanshi, Sukhdeo Rajbanshi and Anil Rajbanshi that they have assaulted the informant and his family members. He further although informant and his family members received the injuries but the injury report of the injured persons suggests that the injuries are found simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, the petitioners having clean antecedent and injury report of the injured persons suggests that the injury is simple in nature, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 1<sup>st</sup> Class, Nawada in connection with Nardiganj P.S.  
Case No. 364 of 2023, subject to the conditions as laid down  
under Section 438(2) of the Code of Criminal Procedure and  
with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 bonds 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.

**(Rajesh Kumar Verma, J)**

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