

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23941 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- RAJPUR District- Buxar

1. Ashok Ram Son of Late Mahangu Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
2. Shiv Shankar Ram Son of Ashok Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
3. Rakesh Ram @ Rakesh Kumar Son of Ashok Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
4. Guddu Ram Son of Dinanath Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
5. Indira Devi Wife of Ashok Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
6. Bhimli Devi @ Bimal Devi W/o Rakesh Ram @ Rakesh Kumar Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
7. Sanjay Ram Son of Manohar Ram Resident of Village- Rajapur, P.S.- Rajpur, Dist.- Buxar
8. Shankar Ram Son of Narad Ram Resident of Village- Baraura, P.S.- Ramgarh, Dist.- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw the present anticipatory bail application



with respect to the petitioner no. 2 because he has already been arrested by the police during pendency of the application.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to the petitioner no. 2.

5. The petitioners have preferred this application for grant of anticipatory bail in connection with Rajpur P.S. Case No. 242 of 2023, for the offences punishable under Sections 147, 148, 149, 541, 447, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

6. As per prosecution case, the petitioners and other co-accused persons are alleged to have entered the house of the informant and assaulted the son of the informant due to which he sustained head injury. The petitioner no. 1 assaulted Sampati Devi, Indira Devi and snatched ear ring of the daughter-in-law of the informant and the accused-petitioner Shankar Ram assaulted the informant with butt of country made pistol.

7. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have got no criminal antecedent as stated in para 3 of the bail petition. There is no



specific allegation of assault against the petitioners rather there is general and omnibus in nature. The only allegation against the petitioner no. 1 is that he assaulted the Shampati Devi by means of danda. Both the parties are next door neighbours. There is case and counter case between both the parties. The injury report of the informant shows pain in left shoulder joint and opinion is reserved regarding the injury. Injury report of Arjun Ram shows lacerated wound over left parietal region and right parietal region. The injury report of Shampati Devi shows swelling present over left arm and injury report of Pooja Devi shows bruise present back side of chest.

8. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

9. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners no. 1 and 3 to 8, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Buxar in connection with Rajpur P.S. Case No. 242 of 2023, subject to conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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