

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30461 of 2024

Arising Out of PS. Case No.-80 Year-2017 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Parmeshwar Rajak, Son of Late Anandi Lal Rajak Resident of Village-
Ramaiya, P.S.- Mohiuddinnagar, District- Samastipur
 2. Pawan Rajak @ Pawan Kumar, Son of Parmeshwar Rajak @ Parmanand
Rajak Resident of Village- Ramaiya, P.S.- Mohiuddinnagar, District-
Samastipur
 3. Deji Devi @ Deji Kumari @ Sunidhi Kumari, Daughter of Parmeshwar
Rajak @ Parmanand Rajak, Wife of Shivesh Rajak Resident of G-3/3A
Second Floor, Chander Nagar, P.S.- Krishnanagar, East Delhi-110051

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh, Advocate
For the Informant	:	Mr. Ashutosh Kumar Singh, Advocate
For the State	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Mohiuddinnagar P.S. Case No. 80 of 2017
(C.No. 915 of 2022) registered for the offences punishable
under Sections 25(1-b)A, 26, 35 of the Arms Act.

3. Allegation against the petitioners is that they have
assaulted and abused the informant and his family members and
petitioner no. 3 came there with country made pistol which was
snatched by the informant and his family members, which was
handed over to police who came on information.



4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Informant is own nephew of the petitioner no. 1 and due to dispute over share in the land and flow of sewerage of the house in their respective share the occurrence took place. Petitioner no. 1 is retired teacher aged about 70 years and petitioner no. 3 is his daughter who is married and residing at Delhi since her marriage. He further submits that petitioner nos. 2 and 3 have clean antecedent. Petitioner no.1 has three criminal antecedents out of which in two cases, final form has been submitted and in one case he has been acquitted by the Court as such he has no criminal antecedent. He further submits that the alleged recovery of arm has not been made by the police and after investigation and supervision by the concerned S.P., the case filed against the petitioners was found false. However, due to direction of DIG, Darbhanga, the case is being reinvestigated. Petitioners are ready to cooperate in the investigation and trial.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their 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/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Mohiuddinnagar P.S. Case No. 80 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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