

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31431 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

1. Dharmendra Rajak @ Dharmendra Kumar Rajak Son Of Late Shankar Ram Resident Of Village- Samardiha, Ps- Sasaram Dist- Rohtas ,
2. Rajeev Kumar Bharti @ Ranjan Kumar Son Of Naga Bharti Resident Of Village- Mokal, Ps- Agrer, Dist- Rohtas
3. Ajay Kumar @ Ajay Kumar Ram @ Ajay Ram Son Of Bagedhan Ram @ Bagedhan Dhobi Resident Of Village- Barhuli, Ps- Mohaniya, Dist- Kaimur Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Neeraj, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-05-2024 At the outset Ld. Counsel for the Petitioner is seeking permission to withdraw the petition on behalf of the Petitioner No.2, Rajeev Kumar Bharti @ Ranjan Kumar.

2. Permission is accorded.

3. Accordingly, the application of Petitioner No.2 is dismissed as withdrawn.

4. Heard Ld. counsel for the Petitioner Nos.1 & 3 and Ld. APP for the State.

5. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Sasaram Muffsil PS. Case No.-9 of 2024, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.



6. The prosecution case as emerging from the FIR is that when the Informant was sitting at the house of one Ashok Baitha, the Petitioners came and started abusing and on protest they assaulted the informant due to which he sustained injury. It is further alleged that the Petitioners also snatched a golden chain from the Informant and took a cash of Rs. 5,000/- from his pocket.

7. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely and implicated in this case. He further submits that there is no allegation of assault by the Petitioners. There is only allegation of either abusing or snatching chain, which is superfluous in nature.

8. It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

9. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

10. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

11. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, namely Dharmendra Rajak @ Dharmendra Kumar Rajak and Ajay



Kumar @ Ajay Kumar Ram @ Ajay Ram, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M. Rohtas at Sasaram, in connection with Sasaram Muffsil PS. Case No.-9 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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