

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44036 of 2024

Arising Out of PS. Case No.-25 Year-2020 Thana- KIUL District- Lakhisarai

1. Raushan Kumar s/o Bablu Mandal R/o Vill-Mahadev Nagar, P.S.- Kiul, District-Lakhisarai
2. Aman Kumar @ Aman Raj S/o Bablu Mandal R/o Vill-Mahadev Nagar, P.S.- Kiul, District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajnish Chandra, Advocate Mr. Ramesh Kr. Pandey, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 448, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, Petitioner No. 2, armed with iron rod, came to the house of the informant and started abusing him and upon protest, Petitioner No. 2 assaulted on the head of informant with iron rod. Thereafter, Petitioner No. 1 and co-accused Mantu Rawat, armed with pistol, snatched cash worth Rs. 15,000/- from the pocket of informant and gold chain.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that petitioners have committed no offence and they have falsely been implicated in this case due to old enmity. Moreover, there is no allegation of assault against Petitioner No. 1. Petitioner No. 1 claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that these petitioners are named in the F.I.R. and injuries caused by Petitioner No. 2 have been opined to be grievous in nature. It is further submitted that Petitioner No. 2 has also got one criminal antecedent.

6. Considering the aforesaid facts and circumstances, nature of accusation, injuries sustained by the injured and criminal antecedents, the prayer for grant of anticipatory bail to Petitioner No. 2 is rejected.

7. So far as Petitioner No. 1 is concerned, considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 1, namely Raushan Kumar, is allowed.

8. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let above named Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Kiul P.S. Case No. 25 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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