

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51957 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- RAJIVNAGAR District- Patna

1. Keeran Devi, Wife Of Ramaji Baitha @ Ramji Rajak, Resident Of Mohalla - Ghurdaur Road No.6, Number Road Of Sbb Camp, Rajiv Nagar, P.S. - Rajiv Nagar, District - Patna
2. Ramji Rajak @ Ramaji Baitha, Son Of Muktar Baitha, Resident Of Mohalla - Ghurdaur Road No.6, Number Road Of Sbb Camp, Rajiv Nagar, P.S. - Rajiv Nagar, District - Patna
3. Vikash Kumar, Son Of Ramji Rajak @ Ramaji Baitha, Resident Of Mohalla - Ghurdaur Road No.6, Number Road Of Sbb Camp, Rajiv Nagar, P.S. - Rajiv Nagar, District - Patna
4. Pankaj Kumar, Son Of Amod Rajak @ Manish Rajak, Resident Of Mohalla - Ghurdaur Road No.6, Number Road Of Sbb Camp, Rajiv Nagar, P.S. - Rajiv Nagar, District - Patna
5. Manish Rajak, Son Of Jogendra Rajak, Resident Of Mohalla - Ghurdaur Road No.6, Number Road Of Sbb Camp, Rajiv Nagar, P.S. - Rajiv Nagar, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandhya Mishra, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Rajeev Nagar P.S. Case No. 91 of 2024 registered on 14.02.2024 for the alleged offences under Sections 341, 323, 379, 307, 447 and 34 of the Indian Penal Code.

3. As per prosecution case, the petitioners are in-laws of the informant and allegation against them is that when the informant brought his son to his house, the petitioners came to the



house of the informant and assaulted the informant, his elder brother and his mother with iron rod and handle of spade causing fracture of the head.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. All the sections are bailable except Sections 307 and 379 of the IPC but there is no application of these sections in the present case. The informant forcibly took away his minor child from his wife. It is not believable that the petitioners came to the house of the informant and assaulted him and his family members and returned without any hurt or injury. There is no injury report available on record and general, vague and omnibus allegations have been levelled against the petitioners. Now the dispute has been resolved between both the parties and the child is in custody of his mother and wife and husband are living together in a common house. Learned counsel further submits that except for petitioner no.4, all other petitioners are having clean antecedent. Petitioner no.4 is having criminal antecedent of one case.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioners. Learned APP further submits that it appears from the rejection order that the mother of the informant suffered some fracture and two other persons also received fracture and their injuries are stated to be grievous.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the relationship of the parties and the background of dispute and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Patna/ court concerned in connection with Rajeev Nagar P.S. Case No. 91 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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