

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55325 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- LAKHNAUR District- Madhubani

RAJESH RAM, S/O SHYAMJI RAM, R/O VILLAGE- KHAIRI, P.S.-
LAKHNAUR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55951 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- LAKHNAUR District- Madhubani

SHYAMJEE RAM @ SHYAMJI RAU, SON OF PITAMBER RAM,
RESIDENT OF VILLAGE- KHAIRI, P.S.- LAKHNAUR, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55325 of 2024)

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Ravi Prakash, Advocate
Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 55951 of 2024)

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Ravi Prakash, Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Lakhnaur P.S. Case no. 89 of 2023 registered under sections 379, 341, 323, 504, 506 and 34 of the Indian Penal Code.



3. As per the prosecution case, the informant states that the three named accused persons stopped him and on the point of knife assaulted him with fists and slaps and took away the keys of his vehicle as also Rs.2,000/- in cash. He was threatened of dire consequences.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such occurrence as alleged has taken place. Referring to the genealogical table, as stated in paragraph no.10 of the petition, learned counsel for the petitioners submits that the petitioners and the informant are the common descendant of one Late Saburi Das. While the informant and the petitioner Shyamjee Ram are his grandsons from two different branches, Rajesh Ram happens to be the son of Shyamjee Ram. The cause of false implication is that the informant had taken Rs.1,09,000/- by way of loan from the petitioners and it is for this reason that this false case has been registered making incorrect allegations in the F.I.R. without disclosing the relationship between the parties. The petitioners have no criminal antecedent.

5. The applications for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and



taking into consideration the allegations in the F.I.R., the relationship between the parties as is evident from the genealogical table mentioned in paragraph no.10 of the petition together with the petitioners not having any criminal antecedent, it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Lakhnaur P.S. Case no. 89 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist Class, Jhanjharpur, District- Madhubani.

(Partha Sarthy, J)

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