

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57734 of 2024**

Arising Out of PS. Case No.-140 Year-2024 Thana- ROH District- Nawada

1. Vikash Kumar @ Vikash Prasad @ Botal S/o Late Ishwari Singh @ Ishawari Singh @ Ishwari Prasad R/o Village - Siur, PS - Roh, District - Nawada
2. Kallu @ Kriti Kumar S/o Late Ishwari Singh @ Ishawari Singh @ Ishwari R/o Village - Siur, PS - Roh, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Diwakar, Advocate        |
|                          |   | Mr. Shivam Kumar, Advocate   |
|                          |   | Mr. Deepak Kumar, Advocate   |
| For the Opposite Party/s | : | Mr. Rajendra Prasad Nat, APP |

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      20-11-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
Roh P.S. Case No. 140 of 2024 dated 10.05.2024, instituted for  
the offence punishable under Sections 341, 323, 324, 307, 504,  
506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on  
09.05.2024 at about 05:00 pm, while the informant was  
returning after playing cricket, on the way one Ganesh Kumar  
intercepted the motorcycle and accused persons namely Kundan  
Kumar @ Bhola and Vikash Kumar @ Botal (petitioner no. 1)  
dragged him from the motorcycle and Kundan Kumar gave



knife blow upon the informant with an intention to kill him and thereafter, all the accused persons also assaulted him by means of lathi and when his friend Pawan came to save him then he was also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the present case is the counterblast of Roh P.S. Case No. 139 of 2024 which was filed by the mother of the petitioners against the informant and others. It is further submitted that there is a specific allegation against one co-accused namely, Kundan Kumar who assaulted with dagger on the head of the informant. There is no specific allegation of assault against the petitioners. It is further stated that both the parties are resident of same village. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Roh P.S. Case No. 140



of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Nawada /Concerned court, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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