

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65635 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- RAJPUR District- Buxar

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1. Manoj Ram Son of Kunj Bihari Ram Not mentioned
 2. Sanjay Kumar Ram @ Sanjay Ram @ Sanjay Kumar Son of Late Girija Ram Resident of Village- Jamauli, P.S.- Rajpur, Distt.- Buxar
 3. Mustafa Khan @ Guddu Rain @ Guddu Khan Son of Intaj Khan Resident of Village- Nawar Sauri, P.S.- Rajpur, Distt.- Buxar
 4. Suresh Ram Son of Late Dhurfekar Ram Resident of Village- Buthadih, P.S.- Rajpur, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Kamal Deo Sharma, Adv
For the Informant	:	Mr. Anand Kumar, Adv
For the Opposite Party/s	:	Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioners, learned counsel for the Informant and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Rajpur P.S. Case No. 222 of 2024 dated 14.07.2024 registered for the offences punishable u/s 457, 380 read with section 191(3), 190, 126(2), 115(2), 308(5), 308(2), 308(4), 351(2), (3) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant has a land situated in Than No. 132, Khata no. 24, Khesra No. 19,87 and Area 14.01 Acre and the same has been muted in the name



of his father. On 14.07.2024 at about 04:30 P.M. the informant was cultivating the said land, suddenly Sanjay Kumar (Petitioner No. 2) along with the co-accused persons armed with weapons came and started ploughing the said land with tractor. Thereafter, Sanjay Kumar (Petitioner No. 2) pointed a rifle at the informant and threatened to shoot. The co-accused Chhedi Ram, Guddu Khan (Petitioner no. 3) and Suresh Ram (petitioner no. 4) armed with rifle came and started ploughing the said land on the gun point. On being objected by the informant, the accused persons threatened the informant to shoot by rifle due to which the informant got scared and he is filing the said case at the Police Station. During search, one rifle and four live cartridges were recovered from the possession of Sanjay Kumar (Petitioner No. 2), a rifle and a live cartridge were recovered from the possession of the petitioner no. 4 (Suresh Ram) and one rifle and three live cartridges were recovered from Guddu Khan (Petitioner No. 3) and two license books on the name of co-accused Chhedi Ram was recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioner no. 1 is not named in the F.I.R. The name of the petitioner has



transpired during the course of investigation. It is further submitted that the petitioners were arrested by the police from the house of the co-accused Chhedi Ram. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has clean antecedent, the petitioner no. 2 has two criminal antecedents and the petitioners nos. 3, 4 have one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 15.07.2024.

5. Learned A.P.P. for the State and learned counsel for the Informant have vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation and the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Rajpur P.S. Case No. 222 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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