

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64112 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- LAKHAURA District- East Champaran

1. RAM PRAVESH YADAV @ RAMPRAESH RAI @ RAMPRAVESH PRASAD YADAV S/O HANUMAN RAI R/O VILLAGE - GOLA PAKARIYA, P.S. - LAKHAURA, DISTRICT - EAST CHAMPARAN
2. Ravindra Rai @ Rabindra Rai S/o Hanuman Rai R/O VILLAGE - GOLA PAKARIYA, P.S. - LAKHAURA, DISTRICT - EAST CHAMPARAN
3. Rajeshwar Rai S/o Kabilesh Rai R/O VILLAGE - GOLA PAKARIYA, P.S. - LAKHAURA, DISTRICT - EAST CHAMPARAN
4. Prabhu Rai S/o Kabilesh Rai R/O VILLAGE - GOLA PAKARIYA, P.S. - LAKHAURA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-10-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner nos. 2 and 4 Ravindra Rai @ Rabindra Rai and Prabhu Rai respectively.
3. Permission is accorded.
4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner nos. 2 and 4.



5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506, 354(B) and 379 of the Indian Penal Code.

6. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that on 10.05.2024 Hira Rai came to his shop at 09:30 AM and purchased sugar and pulses, on which informant asked him to clear his previous dues of Rs. 5100/- then only he will allow him to take the purchased articles on credit, on which Hira abused him and went to his house, after some times, the accused persons including the petitioners came and on orders of Hira, accused Naresh entered his shop and took the cash, on objection Suresh assaulted him by *farsa* causing injury on head and thereafter Ram Pravesh Yadav assaulted him by an iron rod causing injury on his left shoulder, thereafter repeated the blow causing injury on his right shoulder, when his nephew came to save him, accused Prabhu and Rajeshwar tried to strangulate him by a rope, thereafter, Ravindra acted inappropriately with his wife while Rima snatched his chain and Savriya Devi took articles from the shop worth Rs. 2,000/-



7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that though it is alleged that Ram Pravesh Yadav assaulted the informant repeatedly by an iron rod causing injury on both of his shoulder, but then informant has not suffered any injury. It is also submitted that Rajeshwar has been implicated with an omnibus allegation that he tried to strangulate the nephew of the informant. It is submitted that the entire family members have been implicated.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lakhaura P.S. Case No. 48 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



10. However, it is made clear that the learned Trial Court before accepting the bail bonds of the petitioner shall verify the injury report of the informant and in the event if it is found that informant has received grievous injury on his shoulder in that event, the present anticipatory bail order shall not be given effect to in favour of Ram Pravesh Yadav.

(Satyavrat Verma, J)

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