

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68858 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- RAJPUR District- Rohtas

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1. Manu Kumar S/o- Birendra Jaisawal @ Virendra Jaiswal
 2. Shankar Kumar Son of Birendra Jaisawal
 3. Birendra Jaiswal @ Virendra Jaishwal Son of Late Shyam Narayan Jaiswal
All Resident Of Village- Rajpur PS- Rajpur District-Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Rajpur P.S. Case No.29 of 2024 instituted for the offence under Sections 341, 323, 307, 324, 379/34 of the Indian Penal Code.

3. The case of the prosecution is that these petitioners assaulted the son of the informant and her husband. Shambhu Kumar was having a big knife. Birendra Jaiswal was having a measure weight. It is further alleged that the son of the informant received head injury. Rs.42,000/- was also taken by



the petitioners from the pocket of the informant's son.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that it is a counter version of the case filed by the informant and that they have also received injuries, though there is no injury report but from the order of the trial court it is clear that the nature of the injury is simple. From the perusal of the FIR itself it is clear the nature of allegation is general and omnibus. Petitioners are having following criminal antecedents:-

(I) Manu Kumar has criminal antecedent of one case in which he is on bail.

(II) Shankar Kumar has criminal antecedent of one case in which he is on bail.

(III) Birendra Jaiswal has criminal antecedent of two cases in which he is on bail in both the cases.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Rajpur P.S. Case No.29 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) **each** with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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