

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71477 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- RAJEPUR District- East Champaran

1. Vikram Prasad @ Vikrem Kumar Son of Jail Bhagat @ Jayalal Bhagat Vill-Kashi Pakade , P.S-Rajepur, Dist-East Champaran
2. Dhiraj Kumar Son of Satyanarayan Prasad Vill-Kashi Pakade , P.S-Rajepur, Dist-East Champaran
3. Satyanarayan Prasad Son of Late Badri Bhagat Vill-Kashi Pakade , P.S-Rajepur, Dist-East Champaran
4. Raj Kumar Bhagat Son of Late Asarfi Bhagat Vill-Kashi Pakade , P.S-Rajepur, Dist-East Champaran
5. Jail Bhagat @ Jailal Bhagat son of Asarfi Bhagat Vill-Kashi Pakade , P.S-Rajepur, Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Rajepur P.S. Case No. 41 of 2024, registered for the offences punishable under Sections 147, 149, 448, 341, 323, 325, 324, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. As per the allegation, the petitioners along with other co-accused have assaulted the victims causing injury on



head and other parts of the body.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He also submits that there is counter case regarding the same occurrence filed by the petitioners' side bearing Rajepur FIR No. 5128032240040 registered for the offences punishable under Section 307 and other minor Sections of the Indian Penal Code.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of Ld. J.M. Ist Class, Motihari, in connection with Rajepur P.S. Case No. 41 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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