

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69943 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- Geedha District- Bhojpur

1. Shri Kant Kumar @ Srikant Kumar son of Hareram Yadav @ Hare Ram Rai Village- Gyanpur PS -Gidha District -Bhojpur
2. Ravi Kumar Son of Hareram Yadav @ Hare Ram Rai Village- Gyanpur PS -Gidha District -Bhojpur
3. Ashish Kumar Son of Hareram Yadav @ Hare Ram Rai Village- Gyanpur PS -Gidha District -Bhojpur
4. Sandesh Ray @ Santosh Kumar Ray Son of Shivdhyan Ray Village- Gyanpur PS -Gidha District -Bhojpur
5. Hare Ram Rai @ Hareram Yadav Son of Ramayan Ray @ Ramdhyan Ray Village- Gyanpur PS -Gidha District -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-12-2024 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Gidha P.S. Case No. 25 of 2024 registered on 30.04.2024 for the offences punishable under Sections 341, 323, 354B, 307, 504, 506 & 34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against 10 named accused persons including the present petitioner alleging therein that they have assaulted the informant



and his brother due to which injury has been caused.

3. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. He further submits that there is no allegation of outraging the modesty of the informant's daughter or his wife against the petitioners. In fact, against petitioner nos. 2, 3 and 4 there is absolutely no allegation at all but against petitioner no. 1 there is allegation of assaulting one Dhiraj Kumar with a lathi, but there is no injury whereas petitioner no. 5 is an order giver. There is a case and counter case between the parties for the same date and place of occurrence. The case which has been lodged from the informant's side is Gidha P.S. Case No. 25 of 2024 whereas the case lodged by the petitioners' side is Gidha P.S. Case No. 26 of 2024. The antecedent of the petitioners are clean.

4. Learned APP for the State opposes the prayer for bail of the petitioners.

5. In the present facts and circumstances of the case, let the petitioner Nos. 2, 3 and 4 above named be released on bail, in the event of arrest or surrender before the learned Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties



of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Gidha P.S. Case No. 25 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. So far as prayer for bail with regard to petitioner nos. 1 and 5 is concerned, this Court considering the nature of the allegation levelled against them, is not inclined to grant privilege of bail to them. Accordingly, the prayer for bail of petitioner nos. 1 and 5 in connection with Gidha P.S. Case No. 25 of 2024 is hereby rejected. However, they are directed to surrender before the Trial Court within a period of four weeks from today. In case, they surrender within four weeks from today, then the Trial Court is directed to pass an order on their surrender-cum-bail application on the same day without being prejudiced that their anticipatory bail has been rejected by this Court

(Dr. Anshuman, J)

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