

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71508 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- NASRIGANJ District- Rohtas

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1. Raj Kishore Prasad @ Raj Kishor Prasad Son of Raju Sah Village -Amiyawar PS- Nasariganj District -Rohtas
 2. Ravi Kumar @ Ravi Shankar Kumar @ Ravi son of Raju Sah Village -Amiyawar PS- Nasariganj District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate
Ms. Rupa Kumari, Advocate
For the Opposite Party/s : Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. At the outset, learned counsel for the petitioner is seeking permission to withdraw the present petition on behalf of petitioner no. 1, namely, Raj Kishore Prasad @ Raj Kishor Prasad, who has already been arrested.

3. Permission is accorded.

4. Accordingly, the present petition is dismissed as withdrawn with respect to petitioner no. 1.

5. The present petition has been filed on behalf of the petitioner no. 2, namely, Ravi Kumar @ Ravi Shankar Kumar @ Ravi, apprehending his arrest, in connection with Nasriganj P.S. Case No. 179 of 2024, dated 22.05.2024 registered for the



offences punishable under Sections 307, 341, 379, 504 and 384 read with Section 34 of the Indian Penal Code.

6. As per the allegation, the petitioner no. 2 along with other co-accused has assaulted the informant causing injury on his head and other parts of the body.

7. Ld. counsel for the petitioner no. 2 submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is also counter case filed by the petitioner's side against the informant's side bearing Nasriganj P.S. Case No. 5125019240181 registered for the offences punishable under Sections 341, 384 and 324 of the Indian Penal Code. He further submits that the allegation against the petitioner no. 2 is only that he assaulted the informant by lathi causing breaking of one tooth.

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

9. It has further been stated in paragraph no.3 of the petition that the petitioner no. 2 has two criminal antecedents in which he is on bail.

10. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

11. Considering the case and counter case and nature



of the allegation against the petitioner no. 2, **this petition is allowed**, directing the petitioner no. 2, namely, Ravi Kumar @ Ravi Shankar Kumar @ Ravi, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M, Rohtas at Sasaram in connection with Nasriganj P.S. Case No. 179 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 petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J)

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