

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83018 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

1. Rajdeo Ram S/O Yadolal Ram R/O Village- Terua, P.S- Baikunthpur, Distt.- Gopalganj, Bihar.
2. Manoj Ram S/O Rajdeo Ram R/O Village- Terua, P.S- Baikunthpur, Distt.- Gopalganj, Bihar.
3. Nitish Kumar S/O Rajdeo Ram VR/O Village- Terua, P.S- Baikunthpur, Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 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 Baikuthpur P.S. Case no. 191 of 2024 instituted for the offence under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner along with others being armed with weapons arrived at the door of the informant. Rajdeo Ram orderd others to kill Bhikhari Ram. On his order, Pappu Kumar and Manoj Ram assaulted



with '*iron rod*' on the nose of the Bhikhari Ram due to which he received bleeding injury over his nose.

4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in connection with the present case. From perusal of the FIR, it is clear that the allegation is only against Pappu Kumar and Manoj Ram out of which Manoj Ram, petitioner no. 2 of this case and the nature of allegation is not specific rather it is general and omnibus. During the course of hearing, learned counsel for the petitioners submits that there is also counter version of this case regarding the occurrence of same day in which one Raj Deo Ram, who is also petitioner no.1 of this case has received head injury. From perusal of the order of the trial Court, it transpires that there is fracture in Nasal bone with overlying *hematoma*. The nature of allegation is not specific. Blow is single. Further submission is that it is a free fight between two chicken sellers in which both sides sustained injuries.

5. Learned APP appearing for the State 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 Baikuthpur P.S. Case no. 191 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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