

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82561 of 2023

Arising Out of PS. Case No.-418 Year-2023 Thana- RAJGIR District- Nalanda

1. Karan Kumar, S/O Dhananjay Rajvanshi, Village- Bishthapit, Ps. Rajgir, Dist. Nalanda
2. Shivam Kumar, S/O Sanjay Rajvanshi, Village- Bishthapit, Ps. Rajgir, Dist. Nalanda
3. Nitish Kumar S/O Late Naval Rajvanshi Village- Bishthapit, Ps. Rajgir, Dist. Nalanda
4. Kundan Kumar, S/O Rajesh Rajvanshi, Village- Bishthapit, Ps. Rajgir, Dist. Nalanda
5. Shani Kumar, S/O Dharo Rajvanshi, Village- Bishthapit, Ps. Rajgir, Dist. Nalanda
6. Ajeet Kumar, S/O Tulshi Rajvanshi, Village- Bishthapit, Ps. Rajgir, Dist. Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Rajgir P.S. Case No. 418 of 2023, registered for the offences under Sections 147, 149, 323, 341, 353, 427, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the police received information about 20-25 arsonists surrounding the police party,



assaulting it and also damaging the vehicle going through their area. With the help of extra police force, two co-accused were apprehended and other persons fled away from the spot. The apprehended co-accused persons disclosed the name of the petitioners and along with other co-accused persons, who were involved in assaulting the police party and damaging the vehicles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR, it is evident that no one has received any injury as no injury report has been brought on record and the case appears to be fabricated. The petitioners are students of different schools and colleges and they have no role in the alleged occurrence. Learned counsel further submits that the petitioners were not present at the place of occurrence and their identification were never established. No damaged vehicle was reported. Petitioners are having clean antecedent.

5. Learned APP opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of substantive material against the petitioners to



connect them with the offence as alleged and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in connection with Rajgir P.S. Case No. 418 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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