

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81354 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- NASRIGANJ District- Rohtas

1. Ashish Raj Son Of Late Vinod Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
2. Arun Kumar Son Of Harshu Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
3. Harinandan Kumar Son Of Harshu Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
4. Kundan Kumar Son Of Harshu Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
5. Harshu Singh @ Harshu Yadav @ Harsu Singh @ Hatsu Singh Son Of Late Gumani Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
6. Rita Kuer @ Rita Devi Wife Of Late Vinod Singh R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas
7. Anamika Devi Wife Of Arun Kumar R/O Village- Sabadala, P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr. Ramashray Roy, learned counsel for the petitioners and Mr. Lalan Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Nasriganj P.S. Case No. 277 of 2023, F.I.R. dated 22.09.2023 for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. According to prosecution case, the petitioners in



this case are said to have abused and assaulted the informant.

They also snatched the ornaments from the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He submits that the present case is a counter-blast of Nasriganj P.S. Case No. 276 of 2023 which was lodged by the petitioner no.4, namely, Kundan Kumar against the informant and her family members. He further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act is attributed against the petitioners rather than there is general and omnibus allegation against all the accused persons.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 277 of 2023, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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