

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86029 of 2024

Arising Out of PS. Case No.-230 Year-2020 Thana- VAISHALI District- Vaishali

1. Manoranjan Kumar
 2. Ranjan Kumar
 3. Raja Kumar
- All are Sons of Lal Bahadur Rai Resident of Village-Majhauri, P.S.- Vaishali
(Belsar O.P.), Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2024 Heard Mr.Ranjit Kumar Thakur, learned counsel for
the petitioners and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioners seek bail, who are in custody since
27.08.2024 in connection with Vaishali (Belsar O.P.) P.S.Case
No.230 of 2020, FIR dated 14.07.2020 registered for the
offences punishable under Sections 147, 148, 341, 323, 324,
325, 307, 302,379,504 of the Indian Penal Code and Section 3/4
of the Dyne Act.

3. The informant-Upender Kumar's case in brevity is
what on 12-07-2020 at 5:30 AM in the morning, accused
including the petitioners came to the house of the informant and



started abusing informant's sister in law Sushila Devi and called her DAYAN. On protest by Sushila Devi's son Rupesh Kumar, accused- Lal Bahadur Rai & Manoranjan Kumar hit him with iron rod on his head resulting in injury. When Rupesh's father- Nanndlal Rai, brother-Nitesh Kumar & mother Sushila Devi- went to save him, they were assaulted by the accused with iron rod, CHAPPAR and wooden sticks and they sustained injuries. Accused- Sobha Devi also took gold chain and mobile from the person of Rupesh Kumar. It is stated that during the course of treatment injured Rupesh Kumar died.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and co-accused person, namely, Lal Bahadur Rai, against whom the similar allegation, has been granted bail by this Court vide order dated 02.03.2023 passed in Cr. Misc. No.67301 of 2021 and co-accused person, namely, Ramkali Devi has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated



19.03.2021 passed in Cr. Misc. No.35309 of 2020 and the petitioners are in custody since 27.08.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S.Case No.230 of 2020, with the 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 their absence on two consecutive dates without sufficient reason, their 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 bond 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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