

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86531 of 2023

Arising Out of PS. Case No.-215 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

1. Akash Kumar @ Akash Ram @ Akash Kumar Ram S/O Late Ram Vilash Ram R/O D.M.C.H Campus, P.S- Laheriasarai, Distt.- Darbhanga.
2. Jhulan Ram @ Govind Kumar S/O Bablu Ram R/O Mohalla- Rahamganj (WEST), P.S- Laheriasarai, Distt.- Darbhanga.
3. Sonu Kumar S/O Ranjeet Ram @ Ranjit Ram R/O D.M.C.H. Campus, P.S- Laheriasarai, Distt.- Darbhanga.
4. Raja Kumar @ Raja Ram @ Raj Kumar N/A R/O Bhatiyarisarai, Lalbagh, P.S- Laheriasarai, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Advocate

For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Laheriasarai P.S. Case No. 215 of 2019 dated 07.06.2019,
instituted for the offence punishable under Sections 341, 323,
379, 356, 427, 504, 506 and 308/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
was running a canteen in DMCH premises. While the informant
was present at the counter of the canteen, altogether 10-15 boys
came there covering their faces by towel and entered into the



canteen, out of them Akash was armed with dagger, he snatched golden chain from the informant at the point of dagger and Jhulan took away Rs. 2,65,000/- from the counter of the canteen. On alarm raised by the informant, the accused persons fled away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioners were granted anticipatory bail by Sessions Judge *vide* A.B.P. No. 534 of 2021 but they did not surrender before the Court below due to Covid period. After lapse of 2½ years they again filed anticipatory bail before the District Judge concerned, who rejected the same. It is submitted that both the parties are working in the same department and the matter has been settled between the parties outside the court and a compromise petition (Annexure P-3) has been filed before the Sessions Judge, Darbhanga. Lastly, it has been submitted that petitioner no. 2, namely, Jhulan Ram has one criminal case against him and petitioner nos. 1, 3 and 4 have no criminal antecedent.

5. Learned counsel for the petitioners submits that a supplementary affidavit has been filed on behalf of petitioner no. 2 with regard to his criminal antecedent on 18.01.2024



which is not on record although they have filed photo copy of the supplementary affidavit before this Court, which has been kept on record.

6. Learned A.P.P. has opposed the prayer for bail of the petitioners.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Laheriasarai P.S. Case No. 215 of 2019, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Darbhanga, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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