

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38849 of 2025

Arising Out of PS. Case No.-256 Year-2023 Thana- RAJAON District- Banka

1. Ram Vilas Das, Son of Late Bikash Barfi Das, Resident of Village- Khirjan, Police Station- Rajoun, District- Banka
2. Jitendra Das, Son of Ram Vilas Das, Resident of Village- Khirjan, Police Station- Rajoun, District- Banka
3. Siyaram Das, Son of Ram Vilas Das, Resident of Village- Khirjan, Police Station- Rajoun, District- Banka
4. Bouni Yadav, Son of Ashok Yadav, Resident of Village- Khirjan, Police Station- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.
For the State : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Rajoun P.S. Case No. 256 of 2023 dated 28.05.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 332, 333, 307, 109, 353 and 504 of the Indian Penal Code.

3. As per allegation, altercation took place between two groups and after information regarding the occurrence, the



Police reached there but the accused persons including the petitioners started assaulting the Police Party by pelting stones and damaged the Police vehicle.

4. learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact the petitioners were not present on the place of occurrence and they have been named only on account of suspicion. He refers to the FIR to argue that the FIR has been lodged against 15 known accused persons besides 50 unknown persons. He also submits that similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 16.2.2024 passed in Cr. Misc. 4353 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have clean antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named,



to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned court below in connection with Rajoun P.S. Case No. 256 of 2023 subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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