

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73278 of 2024

Arising Out of PS. Case No.-1059 Year-2021 Thana- NAWADA District- Nawada

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1. Sandeep Rajbanshi Son of Ganesh Rajbanshi @ Ganesh Ram Resident Of Village- Jangal Beldari Budhoul, P.S.- Nagar, District- Nawada
 2. Sonu Rajbanshi Son of Ganesh Rajbanshi @ Ganesh Ram Resident Of Village- Jangal Beldari Budhoul, P.S.- Nagar, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-03-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 308, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that the informant alleges that on 20.09.2021 when he was returning to his house after work when all the accused persons including the petitioners stopped him on the way and started abusing him and also assaulted him with an iron pipe on his head, on account of which, he became unconscious and on



hearing hulla, people started gathering on the spot when all the accused persons fled away.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form but then the learned trial court differing with the police report took cognizance thus petitioner apprehends his arrest. It is next submitted that if one investigating agency based on a threadbare investigation has found the petitioners to be innocent whether it would be prudent for this Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Thousand) each with two sureties of the like amount each



to the satisfaction of learned trial court where the case is pending/successor court in connection with Nawada P.S. Case No.1059/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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