

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71166 of 2025

Arising Out of PS. Case No.-858 Year-2016 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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1. Bahadur Rajak @ Lal Babadur Baitha S/o Late Mahavir Rajak R/o Village- Bidupur, Near Ganinath Teple, P.S.- Bidupur, District- Vaishali
 2. Akhilesh Rajak @ Akhilesh Kumar S/o Bahadur Rajak @ Lal Bahadur Baitha R/o Village- Bidupur, Near Ganinath Teple, P.S.- Bidupur, District- Vaishali
 3. Rajesh Kumar @ Karu Rajak @ Karan Rajak S/o Bahadur Rajak @ Lal Bahadur Baitha R/o Village- Bidupur, Near Ganinath Teple, P.S.- Bidupur, District- Vaishali
 4. Mohan Kumar @ Mohan Rajak S/o Bahadur Rajak @ Lal Bahadur Baitha R/o Village- Bidupur, Near Ganinath Teple, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Gope S/o Late Mahavir Gope R/o Village- Bidupur Dih, P.S.- Bidupur, District- Vaishali A/P resident of M.O. Simti, Chhoti Mandir Gali, New Colony, P.S.- Malsalami, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2025 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 offences punishable under Sections 448, 323, 341, 379 and 504 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners no. 2, 3 and 4 are persons with clean antecedent while petitioner no. 1 has antecedent of one case but he was



acquitted in the trial. It is further submitted that the complainant alleges that on 10.08.2016 Bahadur Rajak (petitioner no. 1) came and informed that his truck met with an accident and the same needs to be repaired but he does not have the money but then has ornaments worth Rs.3 lakhs and is ready to mortgage for Rs.2 lakhs. Accordingly, the complainant paid Rs.2 lakhs in lieu of the jewellery but when ornaments were checked the jeweller disclosed that the same is not original, accordingly, the complainant confronted the accused who assured that the money would be returned after selling the land. Further, on 23.09.2016, the accused persons including the petitioners came and assaulted him and his wife and even snatched her chain.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is further submitted that complainant intends to usurp the ornaments of the petitioner no. 1, as such, the present false complaint case came to be instituted. It is next submitted that if what has been alleged is true in that event the complainant ought to have instituted an FIR so that the allegation could have been investigated as to whether the ornaments were genuine or fake. It is also submitted that as far as allegation against the petitioners no. 2, 3 and 4 is concerned,



the same is general and omnibus in nature. It is submitted that petitioners will not abscond rather will cooperate in the trial to prove their innocence.

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, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Complaint Case No. 858 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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