

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75921 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- KRISHNAGARH District- Bhojpur

1. Ritesh Kumar Son of Shivkumar Ram @ Shiv Kumar Ram Resident of Village Saraiya, PS- Krishnagadh, District -Bhojpur at Ara Bihar
2. Laljee Kumar Son of Kamindra Ram Resident of Village Saraiya, PS- Krishnagadh, District -Bhojpur at Ara Bihar
3. Sanjay Ram Son of Late Garibchandra Ram Resident of Village Saraiya, PS- Krishnagadh, District -Bhojpur at Ara Bihar
4. Abhay Ram Son of Late Garibchandra Ram Resident of Village Saraiya, PS- Krishnagadh, District -Bhojpur at Ara Bihar
5. Rahul Kumar Son of Sanjay Ram Resident of Village Saraiya, PS- Krishnagadh, District -Bhojpur at Ara Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Krishnagadh P.S. Case No.18 of 2024 under Sections 341, 323, 504, 506, 307, 379/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioners against whom there is allegation that they have assaulted the



informant with handle of the *Chapakal* on his head with a intention to kill him and also threatened him not to file F.I.R. against them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that they have been falsely implicated in the present case. He further submits that there is specific allegation of assault against the petitioner Nos.1, 2, 4 and 5, whereas the petitioner No.3, namely, Sanjay Ram has only snatched the golden chain and cash, but he has not caused any injury to the informant.

5. Learned Counsel also submits that petitioners' antecedent are clean.

6. Learned APP for the State opposes the prayer for bail and submits that there is no specific allegation of assault against the accused No.3, namely, Sanjay Ram.

7. In the present facts and circumstances, let the above named petitioner No.3 (Sanjay Ram) be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate,



Ara, Bhojpur at Ara in connection with Krishnagadh P.S. Case No.18 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. So far as the petitioner Nos.1, 2, 4 and 5 are concerned, this Court is not inclined to grant anticipatory bail to them, therefore the bail application of the petitioner Nos.1, 2, 4 and 5 is hereby rejected.

9. It transpires to this Court that the F.I.R. has been lodged after delay of 17 days. Therefore, trial court is directed to consider the regular bail application of the petitioner Nos.1, 2, 4 and 5 after going through the injury report and pass order on merit, if they surrender and pray for regular bail without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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