

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83885 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- Kadirganj P.S. District- Nawada

=====

Raju Rajbanshi @ Rajeev Rajbanshi S/O Radhey Rajbanshi Resident Of
Village- Pachohiya, PS -Kadirganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kadirganj P.S. Case No. 54 of 2024 dated 29.03.2024 registered for the offences punishable under Sections 341, 323, 324, 325, 326, 307 and 384 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have stopped the informant's motorcycle and assaulted the informant with the butt of the pistol due to that he became unconscious. When the informant's brother came to rescue, the co-accused Bholu Yadav also assaulted on his head with the butt of the pistol which hit his



mouth due to that his seven teeth got broken and blood started oozing out, thereafter the co-accused, Nitish Kumar and Raju Rajbanshi (petitioner) also assaulted him with iron rod with intention to kill causing injuries to him.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is submitted that there is no specific allegation of assault against the petitioner rather the same is against the co-accused Bholu Yadav. The said co-accused Bholu Yadav has already been granted bail by a Bench of this Court vide Cr. Misc. No. 57056 of 2024 under order dated 21.08.2024. There is general and omnibus allegation against the petitioner. It is further submitted that there is allegation of assault with iron rod on the head of Nilesh Jha against the petitioner and the co-accused persons which hit on the finger of Nilesh Jha but the injury is not on the vital part of the body of Nilesh Jha. The alleged occurrence took place on 21.03.2024 but the F.I.R. was lodged on 29.03.2024 and the delay in lodging of the F.I.R. has not been explained by the prosecution. It is further submitted that no *Rangdari* was paid by the informant. The co-accused person has already been granted regular bail by this court vide order dated 19.09.2024



passed in Cr. Misc. No. 62921 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, C.J.M. Nawada in connection with Kadirganj P.S. Case No. 54 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

