

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83544 of 2025

Arising Out of PS. Case No.-352 Year-2018 Thana- RAJAON District- Banka

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1. Amit Kumar, S/O Devendra Prasad Rana, R/O Village- Sikanpur, P.S- Rajoun, Dist.- Banka.
 2. Kundan Kumar @ Kundan Kr. Rana, S/O Devendra Prasad Rana, R/O Village- Sikanpur, P.S- Rajoun, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Rajoun P.S. Case No. 352 of 2018 registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. Allegedly, while the informant was going to his field, in the meanwhile, all the accused persons caught hold him and started abusing and assaulting. While the mother of the informant came to his rescue, she was also assaulted by the accused persons with fists and slaps.

4. Learned Advocate for the petitioners submitted that falsity of the prosecution case is writ large for the simple reason



that during the course of investigation, no materials have been collected against the petitioners and accordingly the petitioners were not sent up for trial, however, the learned jurisdictional court differing with the final report has taken cognizance for the offences against the petitioners, hence the necessity for anticipatory bail. It is further contended that be that as it may, the petitioners bear fair antecedent and the injury allegedly sustained are found to be simple in nature.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions advanced by the learned Advocate for the parties and considering the fact that during the course of investigation no materials have come and the petitioners have not been sent up for trial, however, differing with the final report, the jurisdiction court took cognizance of the offences, as alleged in the F.I.R., against the petitioners, besides the fair antecedent of the petitioners, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on 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



learned Chief Judicial Magistrate, Banka in connection with
Rajoun P.S. Case No. 352 of 2018, subject to the condition as
laid down under Section 482 (2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023 with the further condition that one of
the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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