

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39517 of 2015

Arising out of PS.Case No. -131 Year- 2015 Thana -DHURAIYA District- BANKA

- 1. Mukesh Rai, son of Santosh Rai.
- 2. Munna Rai @ Mannu Rai, son of Santosh Rai.
- 3. Vivek Rai, son of Santosh Rai.
- 4. Chhotu Rai, son of Santosh Rai.
- 5. Sharawan Rai, son of Santosh Rai.
- 6. Pinku Rai, son of Bhawesh Rai.
- 7. Sandeep Rai, son of Bhawesh Rai. All are residents of village - Shasan, P.S. Dhoraiya, District - Banka.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Advocate.
For the Opposite Party : Mr. Satyendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are apprehending their arrest in connection with Dhoraiya P.S. Case No. 131 of 2015 for the offences instituted under Sections 147, 148, 341, 323, 325, 308, 337, 338 and 436 of the IPC.

The prosecution story, in brief, is that the on 05.06.2015 at about 4.00 P.M. when the informant was doing his home work the accused persons, namely, Sandeep Rai, Chintu Rai and Pinku Rai came having Lathi and Paina in their hands and started



abusing. On protest, the accused Bhawesh Rai having stone in his hand assaulted him. On hulla the other co-accused persons, named in F.I.R. came and assaulted the informant. Sandeep Rai assaulted him with Lathi, causing injury to him. It is further alleged that when the Bhagina of the informant named Amar Rai came to save him then accused Chintu Rai inflicted Lathi blow on his head. When his maternal son-in-law named Ajay Rai came to save the accused Mukesh Rai and Mannu Rai assaulted by means of Rod causing injury to him. They also pelted stones causing injury to the mother, sister and other children of the informant. It is further alleged that they also put the house of the informant on fire and took away the house-hold articles.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is case and counter case. Injury No. 1 is said to be simple and Injury No. 2, opinion has been reserved. It is further submitted that due to previous enmity the petitioners have been made accused in the present case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a

period of four weeks from today in connection with Dhoraiya P.S. Case No. 131/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)