

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43312 of 2015

Arising Out of PS.Case No. -124 Year- 2015 Thana -LALGANJ District- VAISHALI (HAJIPUR)

- =====
1. Nebalal Rai son of Bhagya Narain Rai
 2. Rajballabh Rai son of Bhagya Narain Rai
 3. Rajiv Kumar Rai @ Rajiv Rai son of Kapal @ Kapil Rai
 4. Pavitri Devi wife of Kapal @ Kapil Rai
 5. Pawan Rai son of Nebalal Rai

All residents of village- Bedauli, P.S.- Lalganj, District -Vaishali,

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Lalganj P.S. Case No. 124 of 2015 registered under
Sections 147, 148, 149, 324, 325, 307, 341, 342, 504, 379 and
447 of the Indian Penal Code and Section 27 of the Arms Act.

Taking into consideration the allegations made in the
FIR, in the event of arrest or surrender in the court below within
six weeks from today, the petitioner Nos. 1 & 4, namely,

Nebalal Rai and Pavitri Devi are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 124 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

So far as the allegations against petitioner Nos. 2, 3 and 5, namely, Rajballabh Rai, Rajiv Kumar @ Rajiv Rai and Pawan Rai are concerned, they are alleged to have participated in assault upon the informant and his family members.

In that view of the matter, I am not inclined to grant them privilege of anticipatory bail. Accordingly, the application filed under Section 438 Cr. P.C. on their behalf is rejected.

In case they surrender and seek bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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