

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45273 of 2015

Arising Out of PS. Case No. -87 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

- =====
1. Narayan Rai @ Narayan Kumar, S/o Pavitra Rai @ Ram Pavitra Rai
 2. Jawahar Rai, S/o Bhichhan Rai
 3. Ram Ishwar Rai, son of Ram Dinesh Rai
 4. Pavitra Rai @ Ram Pavitra Rai, son of Ram Dinesh Rai
 5. Hari Kishore Rai, son of Ram Dinesh Rai
 6. Diplal Rai @ Deeplal Rai, S/o Jawahar Rai
- All R/o village - Balia Indrajit, P.S.- Bochahan, District - Muzaffarpur
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr. Abhay Kumar 1(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioners and the State.

The petitioner apprehends their arrest in a case under Sections 147, 148, 149, 341, 323, 307, 420, 504, 506, 379 of the Indian Penal Code, Sections 3, 4 and 5 of Explosive Substance Act and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that both sides are agnates and there is a case and counter case. He submits that one of the petitioners, namely, Ram Ishwar Rai, also sustained grievous injury.

Having regard to the facts of the case, in the event of

arrest or surrender before the court below within six weeks from today petitioner nos.1, 3 and 5, namely, Narayan Rai @ Narayan Kumar, Ram Ishwar Rai and Hari Kishore Rai, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Smt. Mausami Singh, Judicial Magistrate, 1st Class, Muzaffarpur in connection with Bochahan P.S. Case no. 87 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The prayer for grant of anticipatory bail of petitioner nos. 2, 4 and 6, namely, Jawahar Rai, Pavitra Rai @ Ram Pavitra Rai and Diplal Rai @ Deeplal Rai is rejected. However, if they surrender before the court below within six weeks from today and pray for bail, the same would be disposed of on the same day taking into consideration that there is a case and counter case.

(Samarendra Pratap Singh, J.)

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