

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37572 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -NAYAGAON District- SARAN

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1. Munna Kumar Rai Son of Late Punit Rai
 2. Bagha Rai @ Natha Rai @ Tuntun Rai Son of Late Punit Rai
 3. Raj Kumar Rai Son of Late Sheo Lal Rai All are residents of Village - Babhangawa, P.S. - Nayagaon, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that five accused persons including the petitioners came armed with lathi. On the order of petitioner no. 3, co accused Rakesh Kumar and Sudama Rai assaulted with Dab causing injury on the head of the informant. When the informant fell down then all the accused persons assaulted. The motive of the occurrence is alleged to be some scuffle, while playing cricket, between the informant and co accused Rakesh.

It is submitted by the learned counsel for the petitioners that the accusation of assault is specific against co accused Rakesh and Sudama when accusation against the petitioners is omnibus and general. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Nayagaon P.S. Case No.39 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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