

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42378 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -CHAURI District- BHOJPUR

- =====
1. Devendra Kumar Rai @ Devendra Rai S/o Harinandan Rai.
 2. Binkatesh Rai S/o Late Mun Mahesh Rai Both resident of village Dullam Chak, P.S.- Chauri, District- Bhojpur.
- =====

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 17-12-2015 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners pray for anticipatory bail in a case under Sections 147, 148, 149, 504, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that totally false allegations have been made in the FIR on the basis of group rivalry between the two parties and, as a matter of fact, from the petitioners' side also for an occurrence on the same day, Chauri P.S. Case No. 30/2015 has been filed against the informant and others and it is the informant and the men of his side who were involved in firing and assault. It is further submitted by learned counsel that no evidence of firing by the

petitioners has been found during the course of investigation except statements of certain witnesses from the side of the informant which cannot be relied upon. It is also submitted that no one from the side of the informant has received any injury.

Learned counsel for the State upon examination of the case diary submits that several witnesses have supported the case of the informant but no evidence has been found regarding the firing or any person having received injuries. It is also submitted that both the petitioners are accused in three criminal cases and they ought not to be granted anticipatory bail.

On a consideration of the facts and circumstances of the case, let the petitioners (1) Devendra Kumar Rai @ Devendra Rai and (2) Binkatesh Rai, in the event of their arrest/surrender in the Court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Chauri P.S. Case No. 29 of 2015 to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Ramesh Kumar Datta, J)

S.Pandey/-

U		T	
---	--	---	--