

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29653 of 2016

Arising Out of PS.Case No. -391 Year- 2015 Thana -DIGHA District- PATNA

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1. Birju Kumar, S/o- Ram Balak Rai.
2. Hare Ram Rai @ Hareram, S/o- Anirudh Rai.
3. Vijay Rai, S/o- Anirudh Rai.
4. Kundan Rai @ Kundan Kumar, S/o- Anirudh Rai.
Petitioner nos. 1 to 4 are resident of village- Amrudi Bagicha, Road No.-23,
P.S.- Digha, Distt.- Patna.
5. Madan Prasad, aged about 50 years, S/o- Ram Prasad.
6. Manish Kumar, aged about 25 years, S/o- Madan Prasad.
Petitioner nos. 5 and 6 are resident of village- Baba Hotel, Digha Ashiyana
Road, P.S.- Rajeev Nagar, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ramesh Chandra(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 09-11-2016 Heard Sri Vijay Kumar Sinha, learned counsel for the
petitioners, learned Additional Public Prosecutor as well as Sri
S.S. Thakur, learned counsel who was assisted by Sri Arvind
Kumar, learned counsel who has voluntarily appeared on behalf of
the informant.

Six petitioners apprehending their arrest in Digha P.S.
Case No. 391 of 2015 , G.R. No. 8945 of 2015 registered for the

offence under Section 147, 149, 341, 323, 379, 504 , 506 of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners by way of referring to the F.I.R. itself submits that the informant is in the habit of filing false cases . He submits that informant himself has admitted that he had filed number of F.I.Rs. of-course in some cases it was alleged that charge sheet has already been submitted. He submits that in land dispute colour of criminal offence has been given by the informant who claims to be Secretary of one Jai Prakash Nagar Sahkari Grih Nirman Samiti Limited.

Learned counsel who has voluntarily appeared on behalf of the informant has opposed the prayer for bail.

Besides hearing I have perused the materials available on record including the F.I.R. The court is satisfied that it is fit case for extending the privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the aforesaid six petitioners Birju Kumar, Hare Ram Rai @ Hareram, Vijay Rai, Kundan Rai @ Kundan Kumar, Madan Prasad , Manish Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Md. Enam Khan, Judicial Magistrate 1st Class, Patna / concerned court

in connection with Digha P.S. Case No. 391 of 2015, G.R. No. 8945 of 2015 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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