

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48118 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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1. Raja Ram Rai son of Aaso Rai
 2. Vikash Kumar Rai @ Vikash Rai @ Bibhash Rai son of Parichhan Rai
 3. Anil Kumar @ Anil Rai son of Raja Ram Rai
 4. Parichhan Rai son of Aaso Rai All are resident of Village- Chakumar, P.S.- Vidyapati Nagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2016 Heard the counsel for the petitioners and the APP for the State.

The four petitioners herein pray for grant of anticipatory bail in Vidyapati Nagar P.S. Case No. 83 of 2016 registered under sections 341, 342, 323, 325, 379, 504, 354 and 506/34 of the Indian Penal Code.

Counsel for the petitioners referred to the F.I.R. to submit that allegation of assault on the informant is attributed to co-accused Pramod Rai. The petitioners neither in the first part of the allegation nor in the second part of the allegation have been assigned any role. It is the individual act of co-accused Pramod Rai. On going through the F.I.R., it appears that there is specific allegation attributed to petitioner no. 1 to have caused injury of his daughter or the informant. It is further submitted that petitioners have no criminal antecedent.



Considering the allegations levelled in the F.I.R., I am not persuaded to extend the privilege of anticipatory bail to petitioner no. 1. Prayer is rejected.

Let the petitioner nos. 2 to 4 namely Vikash Kumar Rai @ Vikash Rai @ Bibhash Rai, Anil Kumar @ Anil Rai and Parichhan Rai respectively, in the event of arrest or surrender in the Court below within four weeks be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri V.K. Singh, Judicial Magistrate, 1st Class, Dalsingsarai, District-Samastipur in Vidyapati Nagar P.S. Case No. 83 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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