

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44324 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. Sanjay Rai
 2. Vinay Rai Both S/o Late Ram Preet Rai, R/o village- Bhagwatpur, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shalini Raut

For the Opposite Party : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-10-2016

Heard learned counsel for the petitioners and learned

counsel for the State.

The petitioners seek bail in a case instituted under Sections 147, 148, 149, 323, 302 and 354 of the Indian Penal Code.

The prosecution story, in brief, is that the petitioner no.1 namely Sanjay Rai is said to have caught hold the hand of the informant, when she had gone to the field to bring grass and told her to go in the maize field and when she raised alarm, he fled away. Thereafter the father of the informant went to the door of petitioner no.1 to query about the occurrence then the petitioner no.1 abused him and thereafter all the accused persons having armed with *lathi*, *danda* and *garassa* assaulted on the head of the father of the informant, due to which, the blood was oozing out from his head. It is also alleged that when the informant went

to rescue her father, then Rina Devi and Ranju Devi assaulted on her head with *danda*, causing injury on her head. Thereafter her father was taken to hospital, where he died during course of treatment.

It has been submitted on behalf of the petitioners that the petitioner no.1 is in custody since 04.04.2016 and petitioner no.2 is in custody since 07.04.2016. The charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Due to previous enmity, they have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Suvash Kumar Roy, Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Gaighat P.S. Case No. 55 of 2016.

(Sudhir Singh, J.)

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