

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28874 of 2016**

Arising out of P.S. Case No.75, Year- 2016, Thana –BHELDI, District- SARAN

- =====
1. Shambhu Rai, son of late Kalika Rai
  2. Amit Rai, son of late Ram Shankar Rai
  3. Raju Rai, son of Shambhu Rai

All are resident of village- Gopalpur, P.S.- Bheldi, District- Saran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the State : Mr. Upendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2 25-07-2016

Heard learned counsel for the petitioners, learned  
counsel for the State and learned counsel for the Informant.

The petitioners seek pre-arrest bail in connection with  
Bheldi P. S. Case No. 75 of 2016 registered under Sections 147,  
148, 149, 341, 323, 324, 307, 448, 435, 379 and 504 of the Indian  
Penal Code.

It is submitted by the learned counsel for the petitioners  
that the specific allegation of causing injury on the head of Suresh  
Rai, is against the co-accused Jagarnath Rai. So far as the injured  
Kishore Rai is concerned, it is also specifically mentioned in the  
F.I.R. that it was co-accused Ajay Rai who had assaulted with  
Khanti on his head. The other injuries found on the person of the

three injured are of simple and superficial in nature. It is also contended that there is admitted land dispute between the parties and they are close agnates.

Learned counsel for the informant has opposed the prayer for grant of pre-arrest bail to the petitioners. He has submitted that there is omnibus allegation against the petitioners that they had assaulted with lathi, causing injuries to three persons.

Considering the nature of allegation as also the fact that the specific allegation of causing injury on the head of the injured Kishore Rai and Suresh Rai is as against the co-accused Ajay Rai and Jagarnath Rai and the rest of the injuries are superficial, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above, are directed to be released on bail on furnishing bail bond of Rs.10,000/- ( Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Amrendra Prasad, Judicial Magistrate, 1<sup>st</sup> Class, Saran at Chapra, in connection with Bheldi P.S. Case No. 75 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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