

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51585 of 2016**

Arising Out of PS.Case No. -709 Year- 2015 Thana -KHAGARIA District- KHAGARIA

- =====
1. Pankaj Rai S/o Anil Rai
  2. Rohit Rai S/o Muni Lal Rai
  3. Roshan Rai, S/o Ramchandra Rai All resident of village - Naya Tola,  
Rahimpur, P.S. Muffasil, District - Khagaria

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party : Mr. Shantanu Kumar, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      06-12-2016                      Heard the learned counsel for the petitioners and the  
learned APP for the State.

Petitioners seek bail in connection with Khagaria  
(Muffasil) P.S.Case No.709 of 2015 for offence alleged under  
Sections 341, 323, 384, 379, 307 and 504/34 of the IPC.

The prosecution case has been lodged by the informant  
stating therein that all the accused persons surrounded the  
informant, co-accused Dimpal Yadav touched the rifle on the  
temporal region of the informant and demanded ransom and  
thereafter, the accused persons assaulted the informant by butt of  
firearms, *lathi*, bricks and broke his ribs and the accused Krishna  
Rai snatched Rs.25,000/- and co-accused snatched Nokia mobile.



It has been submitted by the learned counsel for the petitioners that there is no specific allegation against these petitioners and the main allegation is on co-accused Dimpal Yadav. He further submits that no overt-act has been alleged against these petitioners and no injury has been attributed against the petitioners and co-accused on similar allegation has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr.Misc.No.17983 of 2016 dated 24.06.2016 and Cr.Misc.No.33362 of 2016 dated 16.08.2016. He further submits that petitioner no.1 is in custody since 02.10.2016 and petitioner nos.2 and 3 are languishing in judicial custody since 20.10.2016. He further submits that chargesheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner no.1 has criminal antecedent and there are as many as four cases pending against him, hence, opposes the prayer for bail.

Be that as it may, since on similar allegation other co-accused persons have since been granted the privilege of bail, let the above named three petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM,



Khagaria in connection with Khagaria (Muffasil) P.S.Case No.709 of 2015/G.R.No.2634 of 2015.

It is further made clear that this direction for bail is further subject to the condition that the petitioners will not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

**(Nilu Agrawal, J)**

B.Kr./-

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