

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3867 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Anand Mohan Rai Son of late Bindhyachal Rai
 2. Shyam Narayan Rai Son of late Nanku Rai
 3. Bijesh Kumar Rai @ Brajesh Rai Son of Rajendra Rai
 4. Vishal Rai Son of Parshuram Rai
 5. Sanjit Kumar Mishra Son of late Ram Niwas Mishra All R/o Village-Taraon, P.S. Nasriganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Nath Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-03-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nasriganj Police Station Case No. 100 of 2016, disclosing offences under Sections 147, 148, 149, 323 and 504 of the Indian Penal Code and 57(a) of the Excise Act and 25(1-b)a, 26, 27 of the Arms Act.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and no specific overt act is attributed to them. In fact, there is a case and counter case between the parties. Admittedly,



altercation took place between the parties on account of political rivalry but none has sustained injuries, which is apparent from the F.I.R. itself. Moreover, co-accused, Ranjit Kumar Mishra, Bimlesh Rai, Madan Mohan Rai, Amresh Rai and Rajesh Rai, having more or less similar allegation, have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 5405 of 2017. Hence, the petitioners also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, 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 S.J.-1st -cum- A.C.J.M., Bikramganj, Rohtas, in connection with Nasriganj Police Station Case No. 100 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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