

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25249 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -MANER District- PATNA

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1. Kanhaiya Rai @ Kanhai Rai, S/o Raghav Rai,
2. Shiv Kr. Rai @ Mukhiya Rai, S/o Raghav Rai,
3. Shiv Narain Rai @ Shiv Narayan Kumar, Son of Nand Kumar Rai
4. Krishna Murari Rai @ Krishna Murari Kr., S/o Lakshmi Rai
5. Baldeo Rai @ Baldeo Kumar, S/o Lakshmi Rai, all residents of village -
Khaspur South Tola, Police Station - Maner, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arpana Kumari

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 19-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Maner P.S. Case No. 105 of 2016, registered under Sections
147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal
Code.

The accusation is that ten persons named in the F.I.R.
including the petitioners came near the informant armed with
weapons and started to cause assault. In that course, Nand Kumar
Rai gave sword blow at the head of informant and Shiv Mohan
Rai gave Garsa blow at the neck of father of the informant. At that
time, Noubat Rai cause injury through lathi to Ujwala Rai and
Laxmi Rai also caused injury to Mukesh Rai through iron rod. In



the meantime, Kanhaiya Rai (petitioner no. 1) snatched the gold chain from the neck of the informant.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act has been attributed against them. Moreover, no injury report has been detailed in the case diary, which is up to paragraph 67. Further submission is that occurrence took place due to land dispute, in which, petitioners' side also sustained injury, regarding which, Maner P.S. Case No. 107 of 2016 is also instituted on the basis of written report of Sita Devi against Munna Rai, informant of the present case and others.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Danapur (Patna), in connection with Maner P.S. Case No. 105 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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