

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24824 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Nand Kishore Rai
2. Lal Babu Rai
3. Kamal Rai @ Kamal Prasad Rai All are son of Jamuna Rai
4. Manish Kumar Son of Nand Kishore Rai
5. Rajan Rai @ Rajan Kumar Son of Bindeshwar Rai All are Resident of
Village- Purani Gandak Pool Road, P.S. Hajipur, and District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and the

State.

Apprehending their arrest in connection with Hajipur
Town P.S. Case No. 40 of 2017, registered under Sections 341,
323, 504,506, 308, 379 and 354/34 of the IPC, the petitioners have
filed the present application for grant of anticipatory bail.

It is submitted that the allegation of having caused
injury to the informant and others is directed against Lal Babu
Rai, Manish Kumar and Niraj Kumar. It is submitted that both the
parties are neighbours and owing to a dispute relating to passage
the occurrence has been committed.

Learned counsel for the State, on the other hand,



opposed the prayer and submits that the alleged injured(s) have received the injury.

Considering the submissions made at the Bar, the prayer for anticipatory bail made on behalf of the petitioner no.2, namely, Lal Babu Rai and petitioner no.4, namely Manish Kumar is rejected.

In the facts and circumstances of the case, in the event of their arrest or surrender before the Court below within a period of four weeks from today, the petitioner nos. 1,3 and 5, namely, Nand Kishore Rai, Kamal Rai @ Kamal Prasad Rai and Rajan Rai @ Rajan Kumar respectively, 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 the learned C.J.M. Vaishali at Hajipur in connection with Hajipur Town P.S. case No. 40 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with the further following condition:-

(i) One of the bailors shall be the own/close family member of the petitioners.

(Kishore Kumar Mandal, J)

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