

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49566 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

- =====
1. Suresh Rai, Son of Jai Mangal Rai.
 2. Rahul Kumar, Son of Suresh Rai, Both Resident of Village- Shahimpur,
P.S.- Vaishali, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Mr. Rashid Zafar & Mr.
Mukund Kumar, Advocates.

For the Opposite Party/s : Mr. Matloob Rab (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 15-12-2017 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Vaishali P.S. Case No. 30 of 2017 for the offences punishable under sections 323, 307, 341, 325, 342, 504, 506, 379 and 34 of the I.P.C.

In the First Information Report against petitioner no.1, namely, Suresh Rai, there is allegation that he gave rod blow on the head of Chandan Kumar, the son of the informant, causing serious injury and petitioner no.2, namely, Rahul Kumar assaulted Bharat Kumar with iron rod on his head.

Submission is of false implication and that there is



case and counter case, petitioner no.1 has lodged Vaishali P.S. Case No. 13 of 2017 dated 12.01.2017 and this case is counter blast of that case, due to land dispute the occurrence has taken place, the injuries found on both the injured are simple in nature and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances stated above, considering that there is case and counter case and further due to land dispute the occurrence has taken place, the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall 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 C.J.M, Vaishali (Hajipur) in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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