

**IN THE HIGH COURT OF JUDICATURE AT
PATNA
Criminal Miscellaneous No.52530 of 2016**

Arising Out of PS.Case No. -167 Year- 2016 Thana -
GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1.Brij Mohan Rai son of Late Ramlachhan Rai
2.Dharmdeo Rai son of Late Ram Lachhan Rai
3. Arvind Rai @ Arvind Yadav son of Late Bishvanath
Rai, All residents of village-Jmusiya P.S.Ghorasahan
(Jhorokhar),Distt. East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : . Sri Nityanand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE
BIRENDRA KUMAR
ORAL ORDER**

3 17-01-2017 Heard learned counsel for the petitioners as

well as learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest

in Ghorasahan (Jharokhar) P.S.Case No.456/16 for the

offences under Sections 147, 149, 323, 324, 307, 380, 504



and 506 of the I.P.C.

For trivial disputes the petitioners committed assault. Petitioners no.1 and 2, Brij Mohan Rai and Dharmdeo Rai allegedly assaulted causing injuries on the head of the referred injured. Whereas petitioner no.3, Arvind Rai, assaulted causing injury on the hand.

It is submitted by the learned counsel for the petitioners that there is case and counter case. Counter case also reveals that some of the members of the petitioners' side sustained injury on the head. Further submission is that there is no repetition of assault.

Considering the fact that petitioners Brajmohan Roy and Dharmdeo Rail had knowledge that their act might cause death, their prayer for anticipatory bail is refused.

So far petitioner no.3 is concerned, considering the nature of allegation, Arvind Rai @ Arvind Yadav in the event of his arrest or surrender before the court below within four weeks from today be released on



bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of C.J.M.,Sikrahana at Dhaka-East Champaran, in Ghorasahan (Jharokhar) P.S. Case No.167/16 subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Birendra Kumar, J)

AnilKrSinha/-

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