

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5405 of 2017

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

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1. Ranjit Kumar Mishra, son of Late Ram Niwas Mishra,
2. Bimlesh Rai, son of Kamta Rai,
3. Madan Mohan Rai, S/o Late Bindhyachal Rai,
4. Amresh Rai, son of Shyam Narayan Rai,
5. Rajesh Rai, son of Rajendra Rai, All are residents of Village- Taraon,
P.S.- Nasriganj, District- Rohtas.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kr. Mishra, Advocate

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

For the informant : Mr. Prashant Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-03-2017 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor.

The petitioners pray for anticipatory bail in connection with Nasriganj P.S. case no. 100 of 2016 registered for the offence punishable under Sections 147, 148, 149, 323, 504 of the Indian Penal Code and 47(a) of Excise Act and 25(1-b)a, 26, 27 of Arms Act.

It is submitted on behalf of petitioners that there is general and omnibus allegation of firing against the petitioners and no injury is found on the person of the informant (*Mukhia*) who was defeated in the election and due to that, this case has been lodged by the informant against the petitioners.

Heard learned A.P.P. and learned counsel for informant also. They have opposed the prayer for bail on the ground



that three cartridges and one bottle of illicit wine were recovered from the motorcycle which was left by the accused persons but F.I.R. itself shows that there were 10 accused persons and there is nothing alleged against the fact that the motorcycle belonged to which of the accused person.

Having heard both sides. In view of the fact that there is general and omnibus allegation against the petitioners and no one has received injury from the informant side, let the abovenamed petitioners, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Nasriganj P.S. case no. 100 of 2016 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that they will cooperate in the disposal of the case and make themselves available before the police as and when required.

With these observations, this bail application is disposed of.

(Vinod Kumar Sinha, J.)

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