

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41605 of 2017**

Arising Out of PS.Case No. -285 Year- 2016 Thana -MANER District- PATNA

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1. Rajendra Rai

2. Mahendra Rai

Both son of Late Vishwanath Rai, Resident of Village- Gyaspur, P.S.-  
Maner, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Anil Kumar No. 1, Advocate.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL ORDER

3      17-10-2017                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are seeking anticipatory bail in connection with Maner P.S. Case No. 285/2016 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that there are general allegations of assault against as many as 11 accused persons named in the F.I.R. A counter-case, as contained in Annexure-2, is also there which gives a different version of the occurrence. Learned counsel further submits that there is no specific allegations of assault against these two petitioners and the injuries found on Mantu Kumar and Umesh Rai are simple in



nature caused by hard and blunt substance. Petitioner no. 1 has no criminal antecedent but against Petitioner no. 2 there is one case of 2005 in which he has been on bail.

On the other hand, learned A.P.P. for the State opposed the prayer for anticipatory bail and submitted that all the accused persons including these petitioners were involved in assault.

Considering the facts that there is a case and counter-case, there is no specific allegations against these petitioners and the parties involved in the alleged occurrence are co-villagers as also the injuries are said to be simple in nature, in case of arrest or surrender of the petitioners within a period of four weeks from today, the above named petitioners are directed to be enlarged 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Maner P.S. Case No. 285/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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