

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55331 of 2017

Arising Out of PS. Case No.-125 Year-2016 Thana- BHAGWAN BAZAR District- Saran

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1. Raj Kumar Rai, S/o Chotu Rai
 2. Bharat Rai @ Bharat Kumar Rai, S/o Bikrama Rai
- Both are residents of Moh. - Kumhar Toli, Garha Ratanpura, P.S.
- Bhagwan Bazar, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Nawal Kishore Singh

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-11-2017 Heard Sri Nawal Kishore Singh, learned counsel for the
petitioners and learned Additional Public Prosecutor.

Two petitioners, who are in custody since 19.09.2017 in
Bhagwan Bazar P.S. Case No. 125 of 2016, registered for the
offence under Section 341, 323, 324 and 307/34 of the Indian Penal
Code, 1860 have prayed for grant of bail.

Learned counsel for the petitioners at the very outset referred
to the statement made in paragraph no. 3 of the petition to show
petitioners are having clean antecedent . By way of referring to the
F.I.R. learned counsel for the petitioners submits that it is evident that
occurrence had taken place in spur of the moment and it is also a
fact that petitioners were host in a “tilak” ceremony and on claim
of occupying chair dispute arose in between informant and others
and thereafter, entire male family members of the petitioners were



made accused. He submits that at least two accused persons who were named in the F.I.R. along with the petitioners were extended the privilege of anticipatory bail and father of petitioner no. 1 has been granted regular bail. However since against both the petitioners there was accusation that they had used knife and assaulted the informant, their prayer for bail was rejected. Learned counsel for the petitioners has also referred to the copy of injury report, which has been brought on record as Annexure- 2 at page no. 17 and submits that even on the person of injured, during medical examination, only one incised wound was found and that too was found simple in nature.

Considering the nature of accusation and the fact that petitioners are having clean antecedent, let both the petitioners Raj Kumar Rai and Bharat Rai @ Bharat Kumar Rai be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra / concerned court in connection with Bhagwan Bazar P.S. Case No. 125 of 2016 .

(Rakesh Kumar, J)

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