

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56571 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- PAKRIDAYAL District- East Champaran

1. Ram Pratap Rai, S/o Late Yamuna Rai,
 2. Rajesh Rai, S/o Ram Pratap Rai,
- Both are resident of Village- Majholiya, P.S. Pakari Dayal,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Waliur Rahman

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Pakaridayal P.S. Case No. 91 of 2018 registered for offences under sections 147, 149, 341, 324, 307, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story in short is that the wife of the Informant is the ward member of Ward No.9 and both of them were trying to remove the encroachment from the government land. On 28.5.2018, when the Informant was returning to his house from the Bazar, the petitioners along with other co-accused persons surrounded him and assaulted with the iron rod on his head with an intention to kill.

The petitioner no.1 is the order giver and the petitioner no.2 has been made accused for snatching a mobile from the pocket



of the Informant.

Learned counsel for the petitioners submits that it was a political dispute on account of the fact that the wife of the Informant was elected and wanted to do some development work in the area. On this account, the present story has been cooked up.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 5th, Motihari in connection with Pakaridayal P.S. Case No. 91 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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