

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31522 of 2018

Arising Out of PS.Case No. -324 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

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1. Sonelal Rai, S/o Late Anup Rai,
2. Sujeet Kumar @ Sujit Rai S/o Ganga Rai,
3. Bablu Kumar S/o Ramchandra Rai,
4. Arvind Rai @ Ravindra Rai S/o Late Anup Rai, All are R/o Vill.-
Narainpur Baidaolia, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-08-2018 The petitioners are apprehending their arrest in connection with Goraul P.S. Case No. 324 of 2017, registered for offences punishable under Sections 147, 148, 149, 341, 342, 307, 354-B, 379, 506 and 504 of the Indian Penal Code.

Allegation against the petitioner no. 1 is of assault to the brother of informant Judagi Rai by means of *Hasua*, petitioner no. 3 assaulted the informant by means of dagger and petitioner no. 4 assaulted another brother of informant Shyam Sundar Rai by means of iron rod and petitioner no. 2 is also named in the F.I.R.

It has been submitted on behalf of the petitioners that they have falsely been made accused in this case and no specific opinion with regard to injuries caused to the persons of informant



side has been given.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that intenseness of the assault is evident from the fact that the injured were first treated at Primary Health Centre, from where they were referred to Sadar Hospital and, thereafter to Patna Medical College and Hospital, Patna.

Having heard both sides, considering the facts and circumstances of the case and nature of allegation, so far petitioner nos. 1, 3 and 4 are concerned, I am not inclined to grant them privilege of anticipatory bail rather they should surrender before the court below and pray for regular, which will be disposed of by the court below on the merit of the case, without being prejudiced by the order of this Court.

However, so far petitioner no. 2 is concerned, considering the fact that there is no specific allegation against of assault against him, let the petitioner no. 2, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Vaishali at Hajipur, in connection with Goraul P.S. Case No. 324 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following condition that:-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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