IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22134 of 2018

Arising Out of PS.Case No. -232 Year- 2017 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Raju Rai, son of Late Lakhpati Rai
2. Mahesh Rai, son of Late Lakhpati Rai
3. Chaudi Charan Rai @ Chaudi Rai, son of Late Lakhpati Rai

All resident of village- Rasalpur, P.S.- Sarai Ranjan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rishikesh Ojha, Advocate
For the State : Mr. Dr. Mritunjay Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Sarairanjan P.S. Case No.232 of 2017 registered under Sections 147, 148, 149, 186, 307, 323, 325, 341 and 353 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that there is dispute between the agnates of the petitioners and one Nathuni Rai. As some scuffle took place between them a Panchyayti took place in which the matter was sorted out. However, in the meantime Nathuni Rai called the police and got

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arrested three persons namely, Manjay Kumar, Hazari Rai and Sanjeet Kumar Rai. He submitted that the petitioners and other family members started asking the police as to why they have been arrested. A false case has been instituted against the petitioners and other lady family members on vague allegation that they tried to rescue the arrested persons from the police custody. He submitted that the petitioners have got no criminal antecedent and having got roots in the society, they are not likely to abscond or tamper with the evidence.

On the other hand, learned counsel for the State opposed the prayer for grant of pre-arrest bail to the petitioners He submitted that there is allegation that the petitioners and other lady members of the family pelted stone upon the police party as a result of which one Chaukidar sustained injury.

In reply, learned counsel for the petitioners submitted that there is no injury report in the case diary and only in order to make the allegation serious such frivolous allegation has been made against the petitioners.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of

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Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Sarairanjan P.S. Case No.232 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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