

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17381 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -BELA District- SITAMARHI

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Sachin Rai, S/o Shyam Rai, Resident of Village- Bathuyara, P.S.- Bela,
Dist.- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/S Sanjay Kumar, Mahendra Thakur &
Vijay Kumar

For the Opposite Party/s : Mr. Abhay Kumar Rai

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 12-04-2018 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Bela P.S. Case No. 162 of 2017 for the offences punishable under sections 341, 323, 324, 307 and 504/34 of the I.P.C.

Allegedly, the petitioner and other FIR named accused persons started constructing tank of the toilet over the land of the informant then the informant protested and then the informant was carried behind the school where co-accused Shivji started pressing his neck, co-accused Rambabu Rai caused injury by knife and when Satyanarain Rai and Badri Rai came to save him then Lalbabu Rai assaulted Satyanarain Rai on his head with Dabia and Shambhu Rai and this petitioner assaulted Badri Rai with farsa



causing cutting of the head.

Submission is of false implication and that the injuries found on the persons of the informant and his both sons is simple in nature, the petitioner has got no criminal antecedent and in this case Shambhu Rai and other similarly situated co-accused, namely, Ram Babu Rai, Lal Babu Rai, and Jogi Rai @ Yogi Rai have been allowed pre-arrest bail by order dated 02.11.2017 passed in Cr. Misc. No. 51525 of 2017 by another co-ordinate Bench of this Court and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the case of the petitioner is similar to that of Shambhu Rai.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Vikram Kumar, S.D.J.M, Sadar, Sitamarhi in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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