

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53038 of 2018

Arising Out of PS. Case No.-323 Year-2016 Thana- RANIGANJ District- Araria

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1. Ramesh Rishideo, S/o Nakshatra Rishideo,
 2. Rakesh Rishideo S/o Banka Rishideo,
 3. Buchchi Rishideo S/o Late Bindeshwar Rishideo,
 4. Pramod Rishideo S/o Manikchand Rishideo, All are Residents of Village- Parmanandpur, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Sri Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Vide order dated 12.09.2018, the application with respect to petitioner nos. 1 and 3 has already been dismissed as withdrawn.

Today, Counsel for the petitioner seeks permission of the Court to withdraw this application with respect to petitioner no. 4 taking into account that he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn with respect to petitioner no. 4.



The petitioner no. 2 is apprehending his arrest in a case registered under Sections 147, 148, 149, 342, 302, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution allegation, in short, is that while the elder brother of the informant was on the way to field where they were working, the accused persons fired which did not hit him. Later, the accused persons assaulted his brother due to which he succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2. There is general and omnibus allegation levelled against the petitioner no. 2. Altogether 30 persons have been named in the F.I.R. including the petitioner no. 2. No specific overt act has been alleged against the petitioner no. 2. There is no specific injury attributed to the petitioner no. 2. Other co-accuseds have been granted anticipatory bail vide order dated 30.7.2018 passed in Cr. Misc. Nos. 38315 and 38682 of 2018.

On behalf of the State, it is submitted that the petitioner no. 2 is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances,



let the petitioner no. 2, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria in connection with Raniganj P.S. Case No. 323 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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