

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38578 of 2018

Arising Out of PS.Case No. -365 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Manoj Rai, S/o Nabab Lal Rai, aged about 40 Years,
2. Kapindra Rai S/o Late Muni Lal Rai, aged about 50 Years,
3. Sachindra Rai @ Sosindra Rai S/o Late Muni Lal Rai, aged about 45 Years,
4. Jagdeo Rai S/o Late Jay Nandan Rai , aged about 52 Years,
5. Lakhan Rai S/o Late Jay Nandan Rai, aged about 41 Years,
6. Shiv Nath Rai S/o Late Jay Nandan Rai, aged about 41 Years,
7. Vimal Rai S/o Sogaath Rai, aged about 30 Years , All R/o Vill.- Chapra Dakshini Dumari, P.S.- Patori, Mohanpur, O.P., District- Samastipur.
8. Sanoj Rai @ Sanoj Kumar @ Pramod Kumar S/o Late Khirodhi Rai, aged about 30 Years, R/o Vill.- Dakshini Dumari, P.S.- Patori, Mohanpur O.P., District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha
For the Opposite Party/s : Mr. Tapeswar Sharma
For the Informant : Mr. Dr. Chandra Shekhar Azad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with Patori (Mohanpur O.P.) P.S.Case No. 365 of 2017 registered for the offences punishable under Sections 147, 148, 307, 323, 341, 380, 435, 447, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is that they have entered into the house and set the house of the informant on fire



and there is allegation of assault against them to the informant and others.

Submission of learned counsel for the petitioner is that no specific allegation has been attributed against the petitioners, rather specific allegation is against one Nagendra Rai.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail stating that there is specific allegation against petitioner No.1 Manoj Rai of setting the house on fire, who has also criminal antecedents and the same has not been mentioned in paragraph-3 of the petition.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to petitioner No.1, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit.

So far other petitioners are concerned, above named, in the event of their arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur, in connection with Patori (Mohanpur O.P.) P.S.Case No. 365 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that



one of the bailors shall be a local person having sufficient
immoveable properties within the jurisdiction of court concerned.

With the above observation, this application is disposed
of.

(Vinod Kumar Sinha, J)

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