

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72770 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- KUDHNI District- Bhabhua (Kaimur)

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1. Satya Narayan Rai, Son of Late Indrasan Rai.
 2. Ram Niwas Rai @ Ram Niwasa Rai, Son of Nath Rai.
 3. Ramashray Rai, Son of Late Indrasan Rai.
 4. Suraj Rai, Son of Sukh Sagar.
 5. Khaderan Rai @ Khedaru Rai, Son of Ramashray Rai.
 6. Sukh Sagar Rai, Son of Sri Niwas Rai.
 7. Jag Niwas Rai, Son of Nath Rai.
 8. Shyam Narayan Rai, Son of Late Indrasan Rai.
 9. Anil Kumar Rai @ Anil Rai, son of Satya Narayan Rai,
 10. Daya Shankar Rai, Son of Shyam Narayan Rai.
 11. Alok Rai @ Bobby son of Jag Niwas Rai,
 12. Sonam Rai, Son of Ravi Kant Rai, All resident of Village- Chandesh, P.S.- Kudhani, District Kaimur (Bhabhua).

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Arun Kumar Singh, Advocate.
For the Opposite Party : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 325, 307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on the date and time of occurrence, while the informant and Rajesh Rai were going alongwith Anchal Adhikari, Circle Inspector, and Halka Karamchari Nuaon Anchal to see the land which were



encroached by accused persons, in the meantime, petitioners alongwith other accused persons armed with weapons started assaulting them causing injury. Co-accused Ravi Kant Rai took out Mobile, golden chain and cash of Rs. 20,000/- from the pocket of informant and petitioner no. 9 took out cash Rs. 4,000/-, waist watch and golden chain of *Mahaviri* from the pocket of Rajesh Rai.

It has been submitted by learned counsel for the petitioners that the petitioners (except petitioner no. 4) have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.- III, Bhabua, in connection with Kudhani P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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