

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45512 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -DARPA District- EASTCHAMPARAN
(MOTIHARI)

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1. Awadhesh Rai, Son of Sonalal Rai,
2. Ramvinay Rai, Son of Sonalal Rai,
3. Sheo Shankar Prasad Yadav, Son of Late Bhabikhan Rai.
4. Rajendra Rai, Son of Late Bhabikhan Rai.
5. Harendra Rai, Son of Late Bhabikhan Rai.

All are resident of Village- Laohariya, P.S.- Darpa, District- East Champaran (Motihari).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate.
For the informant : Mr. Ajay Kumar Singh, Advocate.
For the Opposite Party/s : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioners, counsel for the informant and the State.

The petitioners apprehend their arrest in **Darpa P.S. Case No. 31 of 2018** instituted for the offence under Sections 341, 323, 324, 307, 448, 337, 338, 379 and 504/34 of the Indian Penal Code.

Counsel for the petitioners has submitted that the instant case is counter blast of Darpa P.S. Case No. 32 of 2016 filed by co-accused Nagendra Rai against the informant and others.

In the instant case there is general and omnibus allegation against the petitioners. There is specific allegation against Nagendra Rai of assaulting Krishna Deo Rai with *Farsa* on his head causing



injury to him.

Counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Darpa P.S. Case No. 31 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, East Champaran at Motihari**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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