

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66150 of 2018

Arising Out of PS.Case No. -188 Year- 2018 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Devendra Rai, S/O Sogarath Rai.
 2. Gonu Rai, S/O Shreshth Rai. Both are R/V- Bariarpur, P.S. Majorganj, District-Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 148, 149, 341, 324
and 307 of the IPC.

The prosecution story, in brief, is that on 13.05.2018
at 8.00 P.M. all the accused persons including the petitioners
armed with *Lathi, Bricks, Stones and Dabia* came at the door of
the informant Jai Narayan Das and Co-accused Feku Rai and
Sahib Rai gave *Dabia* blow on his head due to which he sustained
cut injury on his head. Co-accused Bhola Rai and Rama Rai
assaulted him with *Lathi*. Accused persons also assaulted his sons
and wife with *Lathi* due to which, they sustained head injuries.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners 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 in course of occurrence. Other co-accused have been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 55506 of 2018 order dated 20.09.2018 vide Annexure-3 to the present application.

On behalf of the State, it is 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 C.J.M., Sitamarhi in connection with Majorganj P.S. Case No. 188 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)