

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10478 of 2019

Arising Out of PS. Case No.-390 Year-2018 Thana- MINAPUR District- Muzaffarpur

1. PAPPU RAI Son of Late Shankar Rai R/o village- Nehailpur , P.S- Meenapur , Distt. Muzaffarpur
2. Niku Rai @ Niku Kumar Son of Ram Sharup Rai R/o village- Rampur Dakshin, P.S- Meenapur , Distt. Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirmal Kumar Sinha 3

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Meenapur P.S.Case No.390 of 2018 registered for offences punishable under Sections 341,323, 379, 307/34 of the Indian Penal Code.

Prosecution story as per the FIR is that the petitioners came to the shop of the informant and snatched Rs.25,000/- from his pocket and said that they were taking *rangdari* and thereafter the petitioner no.1 fired that did not hit anybody and the allegation against the petitioner no.2 is that he assaulted the informant. It further appears that the petitioner no.1 is accused in three cases and the offences in one of the cases is under



Section 386 of the IPC.

Submission of the learned counsel for the petitioners is that as a matter of fact a complaint case was filed by one of the family members of the petitioners and due to that the present case has been lodged.

Heard learned A.P.P. , who has opposed the prayer for bail..

Having heard both sides, in view of allegation and the and the criminal antecedent, so far petitioner no.1 Pappu Rai is concerned, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below.

So far petitioner no.2 is concerned, let the petitioner no.2 Niku Rai in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Meenapur P.S.Case No.390 of 2018, subject to



condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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