

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13664 of 2019**

Arising Out of PS. Case No.-313 Year-2018 Thana- KADWA District- Katihar

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1. Awadhesh Rai, age 28 years, Male, Son of Anish Rai
2. Vinod Rai, age 33 years, Male, Son of Pramod Rai
3. Video Rai @ B.D.O. Rai, age 25 years, Male, Son of Late Madan Mohan Rai
4. Deepak Ray @ Deepak Kumar Ray, age 22 years, Male, Son of Pramod Ray
5. Amit Ray, age 27 years, Male, Son of Jela Ray @ Basudev Ray
6. Jela Rai @ Basudev Rai, age 55 years, Male, Son of Late Happu Rai

All are resident of Malikpur, P.S.- Kadwa (Balua Belon), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      08-03-2019                      The petitioners seek bail in anticipation of their arrest in connection with Kadwa (Balua Belon) P.S. Case No. 313 of 2018, dated 09.09.2018, instituted for the offences under Sections 147, 148, 149, 341, 323, 379, 307, 354-B, 504 and 506 of the Indian Penal Code.

Eighteen persons have been made accused in this



case with general and omnibus allegation of assault to the informant and others. Some of the victims have been injured in the occurrence as well. So far as petitioner No. 5 is concerned, he is said to have assaulted one Ranjit Rai, who has suffered injuries about which no opinion has been given, but the victim has been sent for C.T. Scan. So far as other petitioners are concerned, viz., petitioner Nos. 1, 2, 3, 4 and 6, the allegations against them are of general and omnibus in nature.

Considering the aforesaid facts, petitioners Nos. 1, 2, 3, 4 and 6, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kadwa (Balua Belon) P.S. Case No. 313 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

So far as petitioner No. 5 is concerned, his prayer



for grant of anticipatory bail is, hereby, rejected.

However, should petitioner No. 5 surrender before the Court below within a period of six weeks from today and seek regular bail, the Court below shall look into the entire aspect of the matter and shall pass orders in accordance with the law on its own merits, without being at all prejudiced by the fact that the present anticipatory bail application on his behalf has not been entertained by this Court.

**(Ashutosh Kumar, J)**

Praveen-II/-

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