

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12848 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- DARIYAPUR District- Saran

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1. DHARAMNATH RAI AND ORS Son of Late Vishwanath Rai
 2. Ravindra Rai Son of Late Chunnulal Rai
 3. Mahesh Kumar @ Mahesh Rai Son of Late Chunnulal Rai
 4. Ranjit Kumar Son of Late Chunnulal Rai
 5. Raushan Kumar Son of Dharamnath Rai
- All resident of Village- Darihara Chatarbhay, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Dariyapur P.S.Case no.147 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault by *lathi* to the informant, petitioner no.2 assaulted to Awadh Rai, petitioner no.3 assaulted to Durgodhan Rai, petitioner no.5 assaulted to Godhan Rai and petitioner no.4 is also named in the FIR..

Submission of the learned counsel for the petitioner is



that there is case and counter case between the parties and both sides have received injuries. There is land dispute and there is delay in lodging the FIR and except injuries of Awadh Rai, of which opinion have been kept reserved and all the other injuries are simple in nature.

Heard learned A.P.P. also.

Having heard both sides. So far petitioner no.2 Ravindra Rai is concerned, let the petitioner nos. 1 Dharamanath Rai, 3. Mahesh Kumar @ Mahesh Rai, 4. Ranjit Kumar and 5. Raushan Kumar are concerned, 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) each with two sureties of the like amount each to the satisfaction of the learned ACJM-4, Saran at Chapra in connection with Dariyapur P.S.Case No.147 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.2 Ravindra Rai is concerned, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, he is 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 on the basis of materials available on the record.

With the aforesaid direction, this application is disposed of .

(Vinod Kumar Sinha, J)

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