

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14142 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- CHAORI District- Bhojpur

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1. Mohan Rai @ Ramyas Rai Son of Navalakh Rai Resident of Village - Dullam Chak, P.S.- Chauri, Distt - Bhojpur.
 2. Santosh Rai Son of Mohan Rai @ Ramyas Rai Resident of Village - Dullam Chak, P.S. - Chauri, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 18-06-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Chauri P.S. Case No. 68 of 2018 registered for the offence punishable under Sections 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

During the course of Panchayati for returning of money by Bhola Rai which was taken by him from the informant, on the exhortation of the petitioners, said Bhola Rai resorted firing on the temple of the informant inflicting injury to him.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have no concern with the aforesaid occurrence. The informant and his family members have already filed several cases against the petitioners and his family members and in some cases final form have been submitted while petitioners are on bail in some other cases. Petitioners do not happen to be assailant rather allegation of assault is attributed against Bhola Rai. Petitioners have been falsely implicated in this case merely because they happen to be father and brother of said Bhola Rai. Petitioner no. 1 is aged about 88 years.

On the other hand, learned APP opposing the bail prayer of the petitioners submitted that the petitioners have several criminal antecedent and victim has sustained gun shot injury on his temple, hence, they do not deserve bail.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhojpur, Ara in connection with Chauri P.S. Case No. 68 of



2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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