

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20276 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- HATHAURI District- Muzaffarpur

1. SONE LAL RAI Son of Late Dashai Rai Resident of village- Berai, P.S.- Hathauri, District- Muzaffarpur.
2. Nawal Rai @ Nawal Kishore Rai S/o Sone Lal Rai Resident of Village- Berai, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Babu Rai, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 07-08-2019 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners who are in custody since 18.11.2018 have prayed for bail in connection with Hathauri P.S. Case No. 241/2018 registered for the offences punishable under Sections 147/148/149/447/323/302 of the Indian Penal Code.

As per the allegation in the F.I.R., the accused persons including these petitioners are alleged to have assaulted the informant and others. It is further submitted that out of 14 named accused persons, Sanjay Rai, Mohan Rai, Jaynandan Rai and Vijay Rai assaulted with rod and farsa, ultimately leading to the death of the brother of the informant namely, Uttam Rai in course of treatment.

It is submitted by learned counsel for the petitioners



that allegations against the petitioners are general and omnibus in nature. They are not amongst those four persons against whom there is specific allegation in the F.I.R., the petitioners have no criminal antecedents and are in custody since 18.11.2018. It is further submitted that co-accused Rajesh Rai has been granted bail vide order dated 02.04.2019 passed in Cr. Misc. No. 19464/19 and case of the petitioners are on similar footing to that of the co-accused Rajesh Rai.

The prayer for bail is opposed by the learned A.P.P.

Having heard the learned counsel for the parties and considering the facts and circumstances of the case specially the grant of bail to co-accused Rajesh Rai, this Court is inclined to grant bail to the petitioners. Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-Cum-A.C.J.M.-10th, Muzaffarpur in connection with Hathauri P.S. Case No. 241/2018.

(Partha Sarthy, J)

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