

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80142 of 2018**

Arising Out of PS. Case No.-211 Year-2017 Thana- JANDAHA District- Vaishali

1. Ganesh Rai Son of Jogindra Rai
2. Dhanik Rai @ Jitendra Rai Son of Jogindra Rai
3. Pintu Rai Son of Jogindra Rai
4. Fuden Rai @ Sanjeeb Rai Son of Jogindra Rai All R/o- Village- Mahipura,  
P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Singh

For the Opposite Party/s : Mr.Sri Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      26-02-2019                      Heard learned counsel for the parties.

Petitioners seeks bail in **Jandaha P.S. Case No. 211 of 2017** registered for the offence punishable under Sections 147, 149, 341, 323, 307, 504 of the Indian Penal Code and Section 302 of the IPC was subsequently added.

Informant in his written complaint has alleged that on 02.12.2017 at about 3:00 pm when Amin was measuring his land in the meantime petitioner along with FIR named accused variously armed with lathi and iron rod came and abused and assaulted him and his son and when the wife and daughter-in-law of the Informant came to rescue they were also assaulted.

It has been submitted on behalf of the petitioners that



they are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. It has been further submitted that from perusal of the post-mortem report it would appear that only one head injury was found and the allegation made in the FIR does not corroborate the post mortem report. Similarly, situated co-accused persons have been granted bail by a co-ordinate bench of this Court vide order dated 03.05.2018 in Criminal Miscellaneous No. 17640 of 2018. Petitioners have got no criminal antecedent. Petitioner no. 2 is in custody since 09.04.2018 and petitioner nos. 1, 3 and 4 are in custody since 01.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Vaishali at Hajipur**, in connection with **Jandaha P.S. Case No. 211 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(S. Kumar, J)**

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