

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23812 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- KUDHNI District- Muzaffarpur

1. DEVENDRA RAI Son of Muneshwar Rai Resident of Village-Parmanandpur east tola, P.S-Sadar, District-Muzaffarpur.
2. Manoj Rai Son of Late Asharfi Rai Resident of Village-Parmanandpur east tola, P.S-Sadar, District-Muzaffarpur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

16-07-2019

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 147, 148, 149, 341, 447, 323, 307, 324, 302, 188, 354 & 427 of the Indian Penal Code and Section 27 of the Arms Act.

Over row of playing DJ 12 named and 12 unknown miscreants including the petitioners are said to have assaulted the informant who however managed to escape on the terrace but the accused persons caught hold his mother and dragged her to Tinmuhani and brutally assaulted her, who succumbed to her injury.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case due



to dirty village politics. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. Petitioners have no criminal antecedent. Similarly situated co-accused persons, namely Bablu Ray, Munna Roy @ Rai and Maksudhan Rai and others have been enlarged on bail by different co-ordinate Bench of this Court in Cr. Misc. Nos.24320 of 2019, 24741 of 2019 and 30975 of 2019 vide order dated 19.04.2019, 18.04.2019 and 09.05.2019 respectively.

Learned APP for the State opposed the bail petition.

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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 3rd, West Muzaffarpur in connection with Kudhani (Turki OP) P.S. Case No. 74 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Prakash Chandra Jaiswal, J)

