

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.779 of 2019

Arising Out of PS. Case No.-32 Year-2017 Thana- MAHESI District- East Champaran

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1. Naresh Rai son of Dinanath Rai, aged about 29 years
 2. Jitendra Rai, @ Jitendra Kumar Rai aged about 22 years, son of Radha Kishun Rai
 3. Mohan Rai, @ Mohan Kumar , aged about 21 years, son of Dinanath Rai
 4. Umesh Rai, aged about 25 years, son of Late Vishwanath Rai, All Resident of Village - Kataha, P.S. - Mehsi, District East Champaran.
 5. Mukesh Rai @ Ramesh Rai, aged about 21 years, son of Mahendra Rai, Resident of Village - Bhimalpur, P.S.- Mehasi, District East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in Trial No. 2630 of 2018 arising out of Mehsi P.S. Case No. 32 of 2017(G.R. No. 953 of 2017), disclosing offences under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has made two submissions. She submits that the injuries have been found to be simple in nature and that the police, upon completion of investigation, have already submitted the charge-sheet for commission of various



offences against the accused persons, including these petitioners, but not for the offence punishable under Section 307 of the Indian Penal Code. The court below has, however, taken cognizance of the offence under Section 307 also, differing with the police report to the said extent.

Considering the said facts and circumstances, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned A.C.J.M.-VI, Motihari, East Champaran in Trial No. 2630 of 2018, arising out of Mehshi P.S. Case No. 32 of 2017 (G.R No. 953 of 2017), subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before



the court on two consecutive occasions, their bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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