

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32436 of 2019

Arising Out of PS. Case No.-443 Year-2018 Thana- BIDUPUR District- Vaishali

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1. VIJAY RAI @ VIJAY KUMAR Son of Prashidh Rai
 2. Prasidh Rai Son of Late Nagdeo Rai
- Both are resident of Village - Daud Nagar, P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Bidupur P.S.Case No.443 of 2018 registered for offences punishable under Sections 341, 323, 325, 337, 338, 354, 307, 447, 504, 506, 34 of the Indian Penal Code.

Prosecution story is of assault by the petitioner no.1 on the head of the informant by *rod* and so far petitioner no.2 is concerned, there is allegation that he along with the others tried to disrobe the wife of Birendra Singh.

Submission of the learned counsel for the petitioners is that there is case and counter case and the person from the petitioners' side also received injuries and though it is also submitted that so far petitioner no.2 is concerned there is general allegation of trying to



disrobe the wife of Birendra Singh and other accused persons having similar allegation have been granted bail by a Co-ordinate Bench of this Court, vide order dated 5.4.2019 passed in Cr. Misc. No.5.4.2019 passed in Cr. Misc. No.21338 of 2019.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no.1 Vijay Rai @ Vijay Kumar is concerned, I am not inclined to grant privilege of anticipatory bail to him. Hence this application against the petitioner no.1 is dismissed.

So far petitioner no.2 is concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XIVth, Vaishali at Hajipur in connection with Bidupur P.S. Case no.443 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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