

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36419 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- MADHUBAN District- East Champaran

1. LALU RAI @ LAL BABU RAI @ LALBABU RAY Son of Late Sukhlal Rai
 2. Ranjit Das S/o Bharat Das
 3. Mohan Das Son of Late Nathuni Das
 4. Chandan Rai @ Chandan Kumar Son of Asarfi Rai
 5. Guru Nath Rajak @ Guddu Nath Rajak Son of Rajaram Baitha
 6. Rajaram Baitha Son of Late Sewak Baitha
 7. Vina Devi W/o Raghubir Rai
 8. Sharda Devi Wife of Asarfi Rai
 9. Reeta Devi W/o Bhikhari Rai
- All are Resident of Village- Tikam, P.S.- Madhuaban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-08-2019 At the very outset, learned counsel for the petitioners seeks permission to withdraw this bail application against petitioner nos. 2 and 3 namely Ranjit Das and Mohan Das respectively.

Permission is granted. The application against petitioner nos. 2 and 3 is dismissed as withdrawn.

In so far as petitioner nos. 1, 4, 5, 6, 7, 8 and 9 are concerned, they apprehend their arrest in connection with



Madhuban P. S. Case No. 57 of 2019 registered under Sections 307,323,324,325,341,354B,379,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons assaulted the informant, her son and daughter and also tried to outrage the modesty of daughter of the informant.

Learned counsel appearing on behalf of the petitioners submits that both parties are co-villagers and there is land dispute between them. He further submits that there is no specific allegation against these petitioners and the same is general and omnibus in nature.

Learned counsel for the State submits that allegation of assault is specific against petitioner nos. 2 and 3 and against rest of the petitioners, it is general and omnibus in nature.

After having heard learned counsel for the parties and taking into consideration the fact that there is no specific allegation of assault against the petitioner nos. 1,4,5,6,7,8 and 9, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioner nos. 1,4,5,6,7,8 and 9, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this



order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, East Champaran at Motihari in connection with Madhuban P.S.Case No. 57 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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