

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36886 of 2019

Arising Out of PS. Case No.-312 Year-2018 Thana- MAHNAR District- Vaishali

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1. RAHUL KUMAR Son of Uday Rai Resident of Village - Fatehpur Kamali, P.S.- Manhar, District- Vaishali
 2. Bhuneshwar Rai Son of Jaikishun Rai Resident of Village - Fatehpur Kamali, P.S.- Manhar, District- Vaishali
 3. Raghuveer Kumar @ Raghuveer Rai Son of Muneshwar Rai Resident of Village - Fatehpur Kamali, P.S.- Manhar, District- Vaishali
 4. Muneshwar Rai Son of Jaikishun Rai Resident of Village - Fatehpur Kamali, P.S.- Manhar, District- Vaishali
 5. Mintu Rai @ Mantu Rai @ Rajgir Rai Son of Muneshwar Rai Resident of Village - Fatehpur Kamali, P.S.- Manhar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises
out of Mahnar P.S. Case No. 312 of 2018, disclosing
offences under Sections 147, 148, 149, 323, 324, 307,
326 and 504 of the Indian Penal Code, including
Section 27 of the Arms Act.

There is case and counter case for the same
occurrence.

It is stated on behalf of the petitioners that



both sides have received injuries. It has also been argued that there is allegation against co-accused Santosh Rai of opening fire, which hit one of the injured.

So far as these petitioners are concerned, learned counsel for the petitioners has argued that there is no allegation of assault against petitioner nos. 1 and 2 and allegedly petitioner nos. 3 and 4 used *lathis* for assault. Petitioner no.5 is said to have assaulted the niece of the informant with a *Dabia*. The injuries have, however been found to be simple in nature.

In the background of nature of allegation and the facts stated above, 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 CJM, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 312 of 2018, 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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