

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36990 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- MAHINDWARA District- Sitamarhi

1. KAPIL RAI @ KAPALESHWAR RAY Son of Late Lali Ray Resident of Village - Koahi, P.S.- Mahindwara, Distt - Sitamarhi.
2. Hari Kishore Rai @ Hari Kishore Ray Son of Kapil Rai @ Kapaleshwar Ray Resident of Village - Koahi, P.S.- Mahindwara, Distt - Sitamarhi.
3. Umesh Rai @ Umesh Ray Son of Jay Mangal Ray @ Jai Mangal Ray Resident of Village - Koahi, P.S.- Mahindwara, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2019 This application, for grant of anticipatory bail, arises out of Mohindwara P.S. Case No. 20/2019, disclosing offences under Sections 341, 323, 324, 504, 447, 379 of the Indian Penal Code.

Prosecution case is that one Pankaj Kumar armed with iron rod came at the door of the informant in drunken condition and abused and assaulted the informant. On information police came there and arrested said Pankaj Kumar, thereafter other accused persons including petitioners came with lathi, danda and iron rod and entered into the house of uncle of the informant and started damaging the house and on protest by his uncle's



wife Sushila Devi, accused persons assaulted her and taken away Rs. Twenty Five Thousand and also set the house on fire but anyhow the fire was extinguished.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and from the F.I.R. itself, it is evident that no specific allegation has been attributed to the petitioners.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Mohindwara P.S. Case No. 20/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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