

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40313 of 2019

Arising Out of PS. Case No.-646 Year-2018 Thana- MANER District- Patna

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1. Jai Nath Rai, S/o Late Nawal Rai R/o village- Chhitnama, P.S.- Maner, District- Patna
 2. Jai Kumar Rai S/o Late Nawal Rai R/o village- Chhitnama, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 30-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Maner P.S. Case no. 646 of 2018, registered under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the evening of 18.11.2018, wife of informant had gone to attend call of nature, at that time, his co-villager Jai Nath Rai and Jai Kumar Rai (petitioners) tried to outrage her modesty, but, anyhow, she returned at her home and informed him. Thereafter, informant along with his family members went at the house of petitioners,



but they were assaulted by them. At that time, eight persons named in the F.I.R., including the petitioners, and 5 to 6 unknown came at the house of informant and started abusing him. When informant made protest then petitioner No.1 gave Farsa blow at the head of informant causing blood oozing injury and he was rushed in PMCH. At that time, Mantosh Kumar, brother of informant, informed that he along with his grandfather and Rakesh Kumar were also assaulted by them and Uma Shankar Rai took away box containing ornaments worth of Rs. 31000/- and costly clothes.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to grudge and enmity.

Having regard to the facts and circumstances of the case, let the petitioner No. 2, namely, Jai Kumar Rai, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 646 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



So far as pre-arrest bail of the petitioner No.1 Jai Nath Rai is concerned, considering the facts and circumstances of the case and the nature of allegation against the petitioner No.1 Jai Nath Rak, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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