

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73560 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- KUDHNI District- Bhabhua (Kaimur)

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1. Chandra Bhusan Rai Son of Late Sita Ram Rai,
 2. Naumi Shankar Rai, Son of Late Sita Ram Rai,
 3. Alok Rai @ Bhikhi Rai, Son of Naumi Shankar Rai,
 4. Man Rai, Son of Namu Narayan Rai,
 5. Golu Rai, Son of Namu Narayan Rai,
 6. Awadh Narayan Rai, Son of Late Rama Shankar Rai,
 7. Rajesh Rai, Son of Awadh Narayan Rai,
 8. Rakesh Rai, Son of Awadh Narayan Rai,
 9. Manish Rai, Son of Awadh Narayan Rai,
 10. Indra Kumar Rai, Son of Shivshankar Rai,
 11. Pintoo Rai, Son of Shiv Shankar Rai,
 12. Ashutosh Rai, Son of Naumi Shankar Rai,
- All resident of Village- Chandesh, P.S.- Kudhani, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was sitting at his door, the accused persons came and assaulted the informant along with others.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Kudhani P.S. Case No. 22 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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