

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57568 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- PATORI District- Samastipur

1. MANOJ RAI Son of Late Kari Rai Resident of village- Sahpur Undi, P.S.- Sahpur Patori, District- Samastipur.
2. Sanjay Rai Son of Late kari Rai Resident of village- Sahpur Undi, P.S.- Sahpur Patori, District- Samastipur.
3. Amarjeet Rai @ Padi Rai Son of Late Kari Rai Resident of village- Sahpur Undi, P.S.- Sahpur Patori, District- Samastipur.
4. Bulbul Rai @ Baubul Rai @ Bullu Rai Son of Upendra Rai Resident of village- Sahpur Undi, P.S.- Sahpur Patori, District- Samastipur.
5. Tuntun Rai Son of late Kari Rai Resident of village- Sahpur Undi, P.S.- Sahpur Patori, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sahpur Patori P.S. Case No. 32 of 2019 for the offence punishable under Sections 147, 149, 307, 323, 341, 379, 504 and 506 of the Indian Penal Code.

It is alleged in the First Information Report that when the informant had gone out in the field to answer the call of nature, the persons, named in the First Information Report, came there armed variously and assaulted her. They are said to have snatched jewellery worth Rs.59,000/-.



Learned counsel appearing on behalf of the petitioners has submitted that all of them belong to same family. Petitioners No. 1, 2, 3 and 5 are full brothers. He has submitted that the allegation of snatching of jewellery renders the entire case of the prosecution highly improbable.

I find substance in the submission made on behalf of the petitioners. In my view a case for grant of anticipatory bail is made out. This application is accordingly 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Samastipur, in Sahpur Patori P.S. Case No. 32 of 2019, subject to the conditions 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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