

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55067 of 2019

Arising Out of PS. Case No.-618 Year-2018 Thana- MANER District- Patna

1. Vinay Kumar Son of Mahesh Rai
2. Deepak Kumar Son of Anil Rai
3. Vikash Kumar Son of Anil Rai
4. Sanjay Kumar @ Sanjay Rai Son of Ajay Rai
5. Pankaj Kumar Son of Ajay Rai
6. Amalay Rai Son of Ajay Rai
7. Mahesh Rai Son of Sadhir Rai

All residents of Village-Haldi Chapra, Maner, P.S.-Maner, District-Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-11-2019 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Maner P.S. Case No.618 of 2018 registered for the offence under Sections 147,148, 149, 341, 323, 324, 325, 307, 354, 504,506 of the Indian Penal Code and 27 Arms Act.

Accusation against the petitioners is that all accused persons including the petitioners and some other unknown accused persons, all armed with deadly weapons, entered into



the house of the informant with intention to kill and loot and on protest made by uncle of the informant Siyaram Prasad, Vinay Kumar (petitioner no.1) assaulted him with Farsa causing head injury, Sanjay Rai (Petitioner no.4) assaulted the uncle of the informant, namely, Satyendra Rai with rod causing cut injury on his neck, Amalay Rai (petitioner no.6) assaulted aunt Dhanwanti Devi. Thereafter, all accused persons also assaulted all the family members of the informant, which caused fracture injury on the leg of the aunt of the informant. Further allegation is that on the order of Ajay Kumar, accused Kunal Kumar started firing due to which Satyendra Rai became injured.

It is submitted by learned counsel for the petitioners that petitioners are none else, but agnates of the petitioners and they have been falsely made accused. He submits that no specific allegation of assault have been made against petitioner nos.1,3,5 and 7, however specific allegations have been attributed against petitioner nos.1,4 and 6. He further submits that there was case and counter case in between the parties. Learned counsel for the petitioners submits that in fact, the informant party themselves have committed the occurrence of assault with family members of the petitioners, for which an F.I.R. vide Maner P.S. Case No.619 of 2018 has been lodged.



Earlier case diary along with injury report was called for vide order dated 02.09.2019. He submits that injuries, as has been alleged, are simple in nature.

Learned Addl.Public Prosecutor has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, let all the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, be enlarged 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 learned Judicial Magistrate, 1st Class, Danapur at Patna in connection with Maner P.S.Case No.618 of 2018, subject to conditions as laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

nawalkrs/-

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