

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54142 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- AKILPUR District- Saran

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1. JAWAHAR ROY, aged about 55 years, Male, Son of Juli Roy, Resident of Village - Purani Panapur, P.S.- Danapur, Dist.- Patna
 2. Rahul Kumar, aged about 21 years, Male, Son of Jawahar Roy, Resident of Village - Purani Panapur, P.S.- Danapur, Dist.- Patna ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-08-2019

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Akilpur P.S. Case No. 24 of 2019 for the offences alleged under Sections 341, 323, 304, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that in respect to dispute in between Shyam Lal Rai, uncle of the informant, Kamlesh Kumar Rai, and Krishna Kumar the Panchayat was arranged and dispute was resolved. Thereafter, Krishna Kumar told to both the petitioners and Shobhnath Rai that Shyam Lal Rai and informant are abusing. Thereafter, they came and started abuse to informant. When the informant and his brother, Mithlesh Kumar, made protest, on which Shobhnath Rai gave knife blow at the stomach of Mithlesh Kumar. When he reached to save then he was caused injuries at back and at the hand by Shobhnath Rai. At that time, both the petitioners also caused injury through lathi, stick and by pelting bricks to Shyam Lal Rai.



Learned counsel appearing for the petitioners submits that the specific allegation is against co-accused, Shobhnath Rai, to give knife blow at the back of Mithlesh Kumar, brother of the informant, and hurt at the back of the informant. The petitioners are said to cause injury to Shyam Lal Rai, uncle of the informant, but, no injury was found on the body of Shyam Lal Rai. Both the petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Akilpur P.S. Case No. 24 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, XIV, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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