

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55872 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- ISUAPUR District- Saran

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1. GIRENDRA RAI, aged about 45 years, Male, Son of Late Ramdhan Rai, Resident of Village - Pyarepur, P.O.- Salempur, P.S.- Isuapur, District - Saran at Chapra
 2. Sarswati Devi, aged about 46 years, Female, Wife of Birendra Rai, Resident of Village - Pyarepur, P.O. Salempur, P.S.- Isuapur, District - Saran at Chapra
 3. Dilip Kumar Yadav @ Dilip Kr. Yadav, aged about 18 years, Male, Son of Sri Jaleshwar Rai, Resident of Village - Pyarepur, P.O. Salempur, P.S.- Isuapur, District - Saran at Chapra
 4. Heera Devi, aged about 40 years, Female, Wife of Girendra Rai, Resident of Village - Pyarepur, P.O. Salempur, P.S.- Isuapur, District - Saran at Chapra
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Anita Kumari, Adv.

For the Opposite Party : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-09-2019

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

The petitioners seek pre-arrest bail in connection with Isuapur P.S. Case No. 99 of 2019 for the offences alleged under Sections 341, 323, 447, 325, 326, 379, 504 and 34 of the Indian Penal Code.

The accusation is that informant, Rajesh Kumar Yadav, was distributing the food grains at his Public Distribution System Shop, at that time, 7 persons, named in the first information report, including the petitioners, started quarreling, then, informant reached there and pacified the dispute, but, under conspiracy they gave dab blow, the informant tried to save himself, but, received injury at his ear. When Sumesh Rai, the brother of the informant, rushed, then, he was also



assaulted. At that time, gold chain of the brother was also snatched.

The submission of the learned counsel for the petitioners is that in fact due to family matter quarrel started in between petitioner and and other accused. In the meantime, informant also reached there in which he also sustained swelling injury. More over, no overt act has been attributed against the petitioners and 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 Isuapur P.S. Case No. 99 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 Subdivisional Judicial Magistrate, 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)

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