

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61764 of 2019

Arising Out of PS. Case No.-377 Year-2019 Thana- DIGHA District- Patna

1. LAL BABU RAI @ LAL BABU SINGH, aged about 55 years, Male, Son of Late Vishwanath Rai, Resident of Village-Mica Colony, Digha, P.S.-Digha, District-Patna
2. Raj Kishor Rai @ Raj Kishor Singh, aged about 55 years, Male, Son of Late Triveni Rai, Resident of Village-Mica Colony, Digha, P.S.-Digha, District-Patna
3. Pahlad Rai @ Parmeshwar Kumar @ Pahlad Kumar, aged about 30 years, Male, Son of Sri Rajeshwar Rai, Resident of Village-Mica Colony, Digha, P.S.-Digha, District-Patna ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the state and learned counsel appearing for the informant.

The petitioners seek pre-arrest bail in connection with Digha P.S. Case No. 377 of 2019 for the offences alleged under Sections 341, 323, 504, 325, 447, 307, 379 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that at about 09.30 a.m. on 05.07.2019, Ramadhar Rai, father of the informant, Mahanand Singh, was in the orchard, situated at Digha, Patna, at that time, nine persons, named in the first information report, including



the petitioners, came there and started to abuse on the point of cutting of the tree. When Ramadhar Rai made protest, then, he was caught hold. At that time, Vidhanchand Rai caused injury at the leg of Ramadhar Rai, father of the informant. The cause of occurrence is a sesame tree, which was in the field of the informant and was cut by Vidhanchand Rai, Bhuneshwar Rai and Raj Kishor Rai (petitioner no. 2).

The learned counsel appearing for the petitioners submits that in fact occurrence of marpeet took place due to cutting of the tree in which petitioners' side also sustained injury regarding which Gigha P.S. Case No. 379 of 2019 was also instituted on the basis of the fardbeyan of Vidhanchand Rai. More over, allegation of causing injury at the land of informant is against Vidhanchand Rai. Petitioners have no criminal antecedent.

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 Digha P.S. Case No. 377 of 2019 shall be released on 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, Patna,



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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