

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69355 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- DESARI District- Vaishali

1. MUNIL RAI Son of Jailal Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
2. Brajesh Rai Son of Jageshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
3. Rajgir Rai Son of Jageshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
4. Akhilesh Rai Son of Kanta Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
5. Rahul Rai @ Rahul Kumar Rai Son of Akhilesh Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
6. Laloo Rai Son of Muneshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
7. Rajdeo Rai Son of Muneshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
8. Lala Rai Son of Late Devendra Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
9. Dhyan Rai Son of Bilash Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
10. Pittar Rai Son of Naibi Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
11. Arjun Rai Son of Devendra Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
12. Indrajit Rai Son of Kanteshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
13. Chandan Rai @ Chandan Kumar Rai Son of Shivjee Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
14. Wakil Rai Son of Kallu Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
15. Indradeo Rai Son of Ramswaroop Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
16. Gulshan Kumar Son of Kamlesh Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
17. Ashok Rai Son of Yadunandan Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
18. Batoran Rai Son of Brahmdeo Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
19. Satruhan Rai Son of Batoran Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
20. Abhilesh Rai Son of Harbanshu Rai Resident of Village - Sultanpur, P.S.-



Desari, District- Vaishali

21. Gaurav Rai @ Gaurav Kumar Son of Kamlesh Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
22. Veera Rai Son of Kallu Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
23. Ram Pravesh Rai Son of Shankar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
24. Abhiranjan Kumar Son of Upendra Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
25. Rahul Kumar (ii) Son of Akhilesh Rai (ii) Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
26. Ranjeet Rai Son of Laloo Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
27. Lakhandeo Rai Son of Ramswaroop Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
28. Sanjay Rai Son of Rajeshwar Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
29. Bhulli Rai Son of Raghunandan Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
30. Mukesh Rai @ Mukesh Kr Roy Son of Mahindra Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
31. Ramesh Rai Son of Lagan Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
32. Harendra Rai Son of Ramyad Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
33. Vivek Rai @ Vivek Kumar Rai Son of Bhulli Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali
34. Awadhesh Rai Son of Butti Rai Resident of Village - Sultanpur, P.S.- Desari, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-12-2019 Learned counsel for the petitioners seeks permission



to withdraw the case in respect of petitioner no.11 Arjun Rai submitting that the said accused has been apprehended during the pendency of this case.

Permission is granted.

Accordingly, this bail petition is dismissed as withdrawn in respect of petitioner no.11 Arjun Rai only.

Heard learned counsel in respect of rest of the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered under Section 147, 148, 149, 447, 341, 323, 324, 325, 326 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

50 named accused persons and some unknown miscreants including the petitioners are said to have descended at the house of the informant armed with weapons and assaulted the informant and his family members by means of lathi, danda, brickbat, etc. and also resorted firing.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in the case due to dirty village politics and animosity. There is case and counter case between the parties. Persons of both the sides have sustained



injury. Injuries sustained by the victims of the case under hand are simple in nature. None has sustained any fire arm injury. The allegation levelled against the petitioners is not specific rather general and omnibus in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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.-VII, Vaishali at Hajipur in connection with Desari P.S. Case No. 300 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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