

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64076 of 2019

Arising Out of PS. Case No.-276 Year-2019 Thana- KHAIRA District- Saran

1. Sanjay Rai, Son of Shilanath Rai, Resident of Village- Chhota Takiya, P.S.- Khaira, District- Saran at Chapra (Bihar).
2. Shilanath Rai, Son of Late Jagdeo Rai, Resident of Village- Chhota Takiya, P.S.- Khaira, District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khaira P.S. Case No. 276 of 2019 registered under Section 307 and other allied Sections of the Indian Penal Code.

The accusation is that in the morning of 10.08.2019, when the informant, Upendra Rai, was at his door then Saroj Rai came and asked to come towards bamboo clump. When he reached there then both petitioners and Amit Rai having sword, Dab and spade in their hand came there and Sanjay Rai (petitioner no. 1) gave sword blow at his head whereas Shilanath Rai (petitioner no.2) caused injury at his head through Dab.



Learned counsel for the petitioners submits that petitioners and the informant are agnates and due to some dispute, occurrence took place, while two sharp cut injuries were found on the person of the informant, regarding which, the opinion has not been detailed by the Doctor, which would appear from annexure 2. Further submission is that petitioners have no criminal antecedent.

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 J.M. Ist Class, Saran at Chapra, in connection with Khaira P.S. Case No. 276 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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