

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65414 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- LALGANJ District- Vaishali

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1. Kundan Rai @ Kundan Kumar Nirala, Son of Ram Lal Rai @ Dangar Rai Resident of Village - Salempur, P.S.- Lalganj, Distt - Vaishali.
 2. Pankaj Rai, Son of Fulodev Ray Resident of Village - Salempur, P.S.- Lalganj, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Lalganj P.S. Case No.185 of 2019, for the offence punishable under Sections 341, 323, 308, 364, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners along with other co-accused persons is that they forcibly kept the informant on Scorpio vehicle and after taking him for some distance, they assaulted the informant by means of hockey stick etc. It has further been alleged that the petitioner No.1 came there boarding on motorcycle and after some time changed the



direction of the motorcycle and went away.

Mr. Abhaya Shanker, learned counsel appearing for the petitioner submits that petitioners have falsely been implicated in this case due to the fact that co-accused, namely, Lakshman Sahni had lodged the case against the informant bearing Lalganj P.S. Case No.162 of 2019. Learned counsel further submits that from perusal of the First Information report, it would be evident that no overt act has been alleged against the petitioners and the allegation against them are general and omnibus in nature. Learned counsel further submits that co-accused persons have been granted bail by this Court in Cr. Misc. No.62494 of 2019 and the injury caused the informant has been found to be simple in nature, as would be evident from Annexure-3.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no specific allegation has been levelled against the petitioners and similarly situated accused persons have been granted bail by this Court and the injury found to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, all the petitioners, above named, are



directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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