

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67412 of 2019

Arising Out of PS. Case No.-315 Year-2018 Thana- LALGANJ District- Vaishali

1. LAKHENDRA RAI Son of Kuldeep Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
2. Chandrika Rai @ Chadrika Rai Son of Upendra Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
3. Mundrika Rai Son of Lakhindra Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
4. Anil Rai Son of Lakhindra Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
5. Shambhu Rai Son of Jai Govind Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
6. Devendra Rai Son of Jai Govind Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
7. Jai Govind Rai Son of Late Sonephul Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
8. Shyam Kishore Rai @ Shayam Kishore Son of Jai Govind Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
9. Shyam Babu Rai @ Shyam Babu Son of Jai Govind Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
10. Ram Babu Rai Son of Jai Govind Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali
11. Upendra Rai Son of Janak Rai Resident of Village - Saraiya, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 325, 354, 379, 307, 504, 506/34 of the



Indian Penal Code registered in connection with Lalganj P.S. Case No. 315/2018.

3. It is submitted that the petitioners have been falsely implicated and in any event after due investigation by police charge sheet has been submitted for the offences alleged except Section 307 and 379 of the Indian Penal Code. It is submitted that the injuries are simple in nature. The accusation under Section 354 of the Indian Penal Code is general and omnibus and is highly improbable against as many as 14 accused persons including the petitioner. The accusation under Section 379 of the Indian Penal Code is mere embellishment.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM XIV, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 315/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for



cancellation of bail.

iv. That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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