

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69960 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. JAGDISH RAI Son of Ramashray Rai Resident of Village- Sikatia, P.S.- Sidhwalia, District- Gopalganj.
2. Bharath Rai Son of Ramashray Rai Resident of Village- Sikatia, P.S.- Sidhwalia, District- Gopalganj.
3. Mangal Rai Son of Ramashray Rai Resident of Village- Sikatia, P.S.- Sidhwalia, District- Gopalganj.
4. Shyam Sunder Rai @ Shyam Sunder Kumar Son of Bharat Rai Resident of Village- Sikatia, P.S.- Sidhwalia, District- Gopalganj.
5. Sunil Rai @ Sunil Kumar Son of Bharat Rai Resident of Village- Sikatia, P.S.- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2019 This application, for grant of anticipatory bail, arises out of Sidhwalia P.S. Case No. 135 of 2019, disclosing offences under Sections 341, 323, 324, 325, 506, 379, 307 and 34 of the Indian Penal Code.

Allegation against petitioner no. 1 is of assault to one Ram Balam Rai by means of Bhala, allegation of petitioner no. 2 is of assault to informant by means of farsa and there is also allegation against other petitioners of assaulting others.

Submission of learned counsel for the petitioners is that there is case and counter case between the parties and except the



injury to the informant on head, which is attributed to petitioner no. 2, all other injuries sustained by other persons, were found simple in nature.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 2 is concerned, I am not inclined to grant the privilege of anticipatory bail to him rather he has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

So far other petitioners are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Gopalganj, in connection with Sidhwalia P.S. Case No. 135 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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