

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71629 of 2019

Arising Out of PS. Case No.-293 Year-2019 Thana- BARHARA District- Bhojpur

1. Ekam Rai (M), aged about 54 years, son of Late Devnandan Roy
 2. Bhuwar Rai (M), aged about 45 years, son of Late Devnandan Roy
 3. Anklesh Rai @ Aklesh Rai @ Akhilesh Rai (M), aged about 26 years, son of Akam Rai
 4. Deepak Rai (M), aged about 24 years, son of Bhuwar Rai
 5. Vikash Rai (M), aged about 22 years, son of Akam Rai
- All Residents of Village - Lala Ka Tola (Panditpur), P.S.- Barahara, District- Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Barahara P.S. Case No. 293 of 2019 registered for the offence under Section 147, 148, 341, 323, 504, 307, 506 of the Indian Penal Code.

The allegation against the petitioners is that petitioners along with other accused persons assaulted the informant. It has further been alleged that Jai Kishore Rai (co-accused) assaulted the informant by means of iron rod on his



head causing him injuries.

Learned counsel for the petitioners submits that both the parties are co-villagers and there is land dispute in between them. Learned counsel further submits that allegation against the petitioners is general and omnibus in nature and only specific allegation of assault on the head of the informant is against the co- accused Jai Kishore Rai, who is not petitioner in this case.

Mr. Bachan Ji Ojha, learned counsel appearing for the informant opposes the prayer for anticipatory bail and submits that the informant has sustained grievous injuries on his head, and as such, petitioners does not deserve the privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers, there is land dispute in between them, there is no specific allegation of assault against these petitioners and specific allegation of assault is against another co-accused Jai Kishore Rai, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a



period of four weeks from the date of receipt of a copy of this order be released on anticipatory bail 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 Sessions Judge – XIII, Bhojpur at Ara in connection with Barahara P.S. Case No. 293 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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