

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71798 of 2019

Arising Out of PS. Case No.-178 Year-2018 Thana- CHACKMEHSI District- Samastipur

1. RAJESH RAI Son of Bndeshwar Rai Resident of Village- Malinagar, P.S.- Chakmehsi District- Samastipur.
2. Dinesh Rai Son of Bndeshwar Rai Resident of Village- Malinagar, P.S.- Chakmehsi District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,186,189,224,307,323,332,333,341,342,353,427, 504 and 506 of the IPC.

It is alleged that the police went to apprehend the brother of the petitioners in connection with Chakmehsi P.S. Case No. 40/2017 when the accused persons attacked the police party.

It is submitted by learned counsel for the petitioners that the police arrested co-accused Suresh Rai believing him as Mukesh Rai and thereafter, when the protest was made, the present case has been lodged. It is further submitted that the



petitioners also lodged Complaint Case No.69 of 2019 against the police wherein cognizance has been taken.

Learned APP submits that there is accusation against the petitioners of attacking on the police party.

Considering the thrust of accusation against co-accused Mukesh Rai and the cognizance being taken in the counter case, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 ACJM, I, Samastipur in connection with Chakmehsi P.S. Case No.178 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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