

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73758 of 2019

Arising Out of PS. Case No.-320 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. JAWAHIR RAI @ JAWAHAR PRASAD RAI, aged about 60 years, Male, Son of Bindeshwar Rai
 2. Rajendra Rai, aged about 47 years, Male Son of Bindeshwar Rai
 3. Ram Babu Rai, aged about 35 years, Male Son of Bindeshwar Rai
 4. Sandeep Kumar Rai @ Sandip Rai, aged about 23 years, Male, Son of Jawahir Rai @ Jawahar Prasad Rai
 5. Bittu Kumar @ Sujit Kumar Rai, aged about 20 years, Male, Son of Rajendra Rai
 6. Kundan Kumar, aged about 18 years, Male, Son of Ram Babu Rai
- All are resident of Village- Shamachak, P.S.- Hajipur Sadar, District- Vaishali at Hajipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate
For the Opposite Party/s : Mrs. Anita Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Hajipur Sadar P.S. Case No. 320 of 2019 registered under Sections 147, 148, 149, 341, 323, 324, 307, 385, 427, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners in this case are falsely implicated, petitioners and informant are neighbour and land disputes are going on between the parties. Learned counsel submits that the allegation of



causing assault on the hand of the nephew of the informant is against petitioner no. 1 but the injury report shows only superficial injury on the hand by hard and blunt object, there is no specific allegation against them. Learned counsel submits that the co-accused Shailesh Kumar @ Shailesh Kumar Rai and Pradeep Kumar Rai against whom there were allegation of causing assault have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. 73257/2019.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of the petitioners that the allegation of causing assault on the hand of the nephew of the informant is against petitioner no. 1, but the injury report shows only superficial injury on the hand by hard and blunt object, there is no specific allegation against them and the co-accused Shailesh Kumar @ Shailesh Kumar Rai and Pradeep Kumar Rai against whom there were allegation of causing assault have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. 73257/2019, let the above-named petitioners, in the event of their arrest/surrender before



the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 320 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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