

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2617 of 2020

Arising Out of PS. Case No.-91 Year-2019 Thana- PURNAHYA District- Sheohar

1. RAMEKBAL RAI
2. Baidhnath Rai @ Baidyanath Rai, Both Sons of Late Chulhai Rai
3. Sanjay Rai, S/o Baidhnath Rai @ Baidyanath Rai
All Resident of Village - Kolhua Thikahan, P.S. - Purnahia, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 14-09-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 436 and 504/34 of the Indian Penal Code.

There is general and omnibus allegation against the petitioners to have committed assault and arson in the dwelling house as well as theft of ornament.

Learned counsel for the petitioners submits that the Doctor has not found any external injury on the person of the informant nor any injury at the place alleged in the FIR.



Likewise, Investigating Officer did not find any sign of burn at the time of inspection of the place of occurrence. The Petitioners have got no criminal antecedent. Due to old dispute, they have falsely been implicated in this case.

Learned A.P.P. for the State opposed the prayer for anticipatory bail.

Considering the fact that there is no material on the record to compel the petitioners to go to jail, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Purnahia Police Station Case No. 91 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.



(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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