

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2863 of 2020

Arising Out of PS. Case No.-202 Year-2019 Thana- MANER District- Patna

1. Raj Kishore Rai, Son of Jawahar Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.
2. Jitendra Rai, Son of Late Ram Nath Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.
3. Raju Kumar, Son of Jawahar Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.
4. Mahendra Rai, Son of Late Ramnath Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.
5. Mantu Rai, Son of Ramautar Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.
6. Anil Rai, Son of Ram Autar Rai Resident of - Nilkanth Tola, Goraiya Sthan, P.S.- Maner, Distt - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 28-02-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Maner P. S. Case No.202 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354, 427, 429, 504, 506, 435 of the I.P.C. and Section 27 of the Arms Act.

3. The written report of the present case goes to show



that it was F.I.R. named accused Anta @ Akhilesh Rai, who gave sword blow causing head injury to the informant and thereafter, the F.I.R. named accused Ramavatar Rai and Binod Rai assaulted the informant by means of lathi. Annexure-3 to the petition goes to show that only two injuries were found on the person of informant and both the aforesaid injuries were simple in nature.

4. Submission on behalf of the petitioners is that on the alleged date of occurrence, the informant and his associates committed murder of son of one Ashok Rai, who happens to be cousin of petitioners and for the aforesaid occurrence, said Ashok Rai lodged Maner P. S. Case No.200 of 2019 on the same day and with an object to save their skin, the informant lodged the present case against the petitioners and others.

5. It is further submitted that co-accused Randhir Kumar @ Randhir Rai and some other have already been admitted to anticipatory bail by a Coordinate Bench of this Court vide order dated 01.08.2019 passed in Cr. Misc. No. 48025 of 2019.

6. Although, learned counsel appearing for the informant opposed the prayer, but considering the aforesaid



facts and circumstances of the case as well as submissions of the parties and also keeping in mind that no specific overt act has been attributed against the petitioners, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shushri Nutan Kumari, learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Maner P. S. Case No.202 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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