

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7332 of 2020

Arising Out of PS. Case No.-213 Year-2019 Thana- CHIRAIYA District- East Champaran

1. Umesh Rai
 2. Naresh Rai both are sons of Rameshwar Rai
 3. Rameshwar Rai Son of Late Nishu Rai
- All are resident of Village - Khodha Tola, Baswaria, P.S. - Chiraiya, District East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Dhurendra Kumar, Advocate
For the State	:	Mr.Ramchandra Singh, APP
For the Informant	:	Mr. Sunila Kumar No. III, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-02-2020 At the very outset, learned counsel for the petitioners submits that petitioner no. 3, namely, Rameshwar Rai has been arrested during the pendency of this application and it has become infructuous.

The application, as against petitioner no. 3, namely, Rameshwar Rai, is dismissed as having become infructuous.

So far as petitioner nos. 1 and 2 are concerned, heard learned counsel for the petitioners; learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the State.

Petitioner nos. 1 and 2 are apprehending arrest in connection with Chiraiya P.S. Case No. 213 of 2019 for offences



under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner no. 1 is that he has assaulted Prabhu Rai with farsa on his head but there is no corresponding injury.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. He further submits that injuries sustained by the informant are simple in nature and there is no allegation of assault against petitioner nos. 1 and 2 that they have assaulted the informant. This fact has not been disputed by learned counsel appearing on behalf of the informant.

Considering the aforesaid, this Court is inclined to grant bail to the petitioner nos. 1 and 2, namely, Umesh Rai and Naresh Rai. Let them, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sikarhna at Dhaka, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 213 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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