

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11239 of 2020

Arising Out of PS. Case No.-319 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. SAKALDEO RAI Son of Late Jai Kishun Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
2. Sanjay Rai Son of Ram Chandra Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
3. Raj Kumar Rai Son of Rameshwar Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
4. Bikash Kumar Son of Jagdish Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
5. Manish Kumar Son of Sakaldeo Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
6. Sunny Kumar Son of Rameshwar Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.
7. Ram Chandra Rai Son of Jai Kishun Rai Resident of Village- Samachak, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-06-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Hajipur**
Sadar P.S. Case No. 319 of 2019, registered for the offences



punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case in brief is that on 16.03.2019 at 8.30 in the night while the informant was at his house, all the accused persons including these petitioners variously armed came at his house and started abusing. On protest, Pappu Rai and Sakaldeo Rai (petitioner no. 1) assaulted the informant on his head by means of *Farsa*, as a result of which he sustained head injury. When informant's wife, his son and nephew came to save him, Pappu Rai assaulted the wife of informant on her head with *Farsa*. Raj Kumar Rai assaulted the son of informant with *Hasua*, as a result which he sustained injury on finger of left hand. Sanjay Rai assaulted him with *lathi* and other accused persons assaulted his nephew with *lathi*. Pappu Kumar also took away ornaments of informant's wife.

It is submitted that petitioners have been falsely implicated in this case due to previous enmity. There is case and counter. Both sides sustained injuries. Injuries sustained by the injured is simple in nature. Moreover, proceeding under Section 144 Cr.P.C is going on between the parties. The petitioners have got clean antecedent.



Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 **Chief Judicial Magistrate, Vaishali at Hajipur** in connection with **Hajipur Sadar P.S. Case No. 319 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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