

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19705 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- BELA District- Sitamarhi

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1. Dasharath Rai @ Dashrath Rai @ Dasrath Rai, S/O- Ram Awtar Rai @ Ram Avatar Rai.
 2. Laxman Rai S/O- Dashrath Rai
 3. Ram Chandra Rai @ Ramanand Rai Son of Dashrath Rai
All are resident of Village- Chandi Rajwara, P.S. - Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate
For the State	:	Mr.Sanjay Kumar Singh, APP
For the Informant	:	Mr. Birendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 17-12-2020 Heard learned counsel for the petitioners and
learned counsel for the State.

After some arguments, counsel for the petitioners submits that he is only pressing the application of petitioner no.1, namely, Dasharath Rai @ Dashrath Rai @ Dasrath Rai.

In such view of the matter, application of petitioner nos. 2 and 3 is rejected.

In this case, the petitioner no.1 is seeking anticipatory bail in connection with Bela P.S. Case No. 243 of 2019, registered for the offence punishable under Sections 341, 342, 147, 148, 149, 323 and 302 of the Indian Penal Code.



The allegation against the accused persons is to have surrounded the informant and his brother and started abusing them. Thereafter, co-accused Chhebal Rai, Vijay Rai, Ramchandra Rai and Laxman Rai assaulted his brother Hardeo Rai with iron rod, lathi etc. upon his head and other parts of body, as a result of which, he fell down and during treatment he died.

Counsel for the petitioner no.1 submits that there is no allegation at all against the petitioner no.1.

This Court examined the case diary wherefrom it appears that this petitioner has not participated in any manner in the assault of the victim.

Looking to the entire facts and circumstances of the case, let the petitioner no.1, namely, Dasharath Rai @ Dashrath Rai @ asrath Rai, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Bela P.S. Case No. 243 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a



further condition that whenever the police will call the petitioner no.1 for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/-

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