

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18462 of 2020

Arising Out of PS. Case No.-407 Year-2018 Thana- CHIRAIYA District- East Champaran

1. RAM BHAROSH RAI @ RAM BHAROSH RAY S/o Late Satyanarain Rai Resident of Village-Semara Tola Dhath, P.S-Chiraiya, District-East Champaran.
2. Sunil Rai @ Anil Kumar Yadav S/o Ram Bharosh Rai Resident of Village-Semara Tola Dhath, P.S-Chiraiya, District-East Champaran.
3. Anil Rai @ Anil Kumar Yadav S/o Ram Bharosh Rai Resident of Village-Semara Tola Dhath, P.S-Chiraiya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant and his sons by means of



lathi, due to which they sustained injuries.

It has been submitted on behalf of the petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Free fight is alleged to have taken place. It is a case and counter case between the parties. The nature of injury is said to be simple. Hence no offence under Section 307 of I.P.C. is made out.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. case No.407 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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