

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21223 of 2020

Arising Out of PS. Case No.-170 Year-2017 Thana- ISUAPUR District- Saran

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1. JITENDRA RAI @ J.P. YADAV Son of Surendra Rai Resident of Village- Usuri Kala, Bihari Chak, P.S.- Isuapur, District- Saran at Chapra
 2. Mithlesh Rai Son of Surendra Rai Resident of Village- Usuri Kala, Bihari Chak, P.S.- Isuapur, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr. Pradeep Narayan Kuer

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Pradeep Narayan Kuer, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Isuapur P.S. Case No. 170 of 2017 for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 448, 379 and 504 of the Indian Penal Code.

The allegation is regarding the co-accused person namely Satyendra Rai and Surendra Rai having assaulted the informant



resulting in him sustaining injuries. It is further alleged that when the family members of the informant had arrived there to save him, the other accused persons had also assaulted the members of the prosecution party.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners herein and in fact they are not having any complicity in the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that there is no allegation of any sort of specific overt act having been engaged insofar as the petitioners are concerned, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Isuapur P.S. Case No. 170 of 2017 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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