

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30829 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- TISIAUTA District- Vaishali

1. RAJEEV RAI S/o Dhaneshwar Ray Resident of Village-Paranpur, P.S.-Tisiauta, District-Vaishali.
2. Birendra Rai @ Birendra Kumar Rai S/o Late Chandeshwar Rai Resident of Village-Paranpur, P.S.-Tisiauta, District-Vaishali.
3. Mukesh Rai S/o Surendra Rai Resident of Village-Paranpur, P.S.-Tisiauta, District-Vaishali.
4. Bhola Rai S/o Surendra Rai Resident of Village-Turki, P.S.-Patepur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-12-2020 The learned counsel for the petitioners submits that petitioner No.1, Rajeev Rai, and petitioner No.2, Birendra Rai @ Birendra Kumar Rai, have already been arrested and in this view of the fact he may be permitted to withdraw the petition of petitioner No.1 and 2.

Prayer is allowed.

This anticipatory bail petition with respect to petitioner No.1 and 2 is dismissed as withdrawn.

Heard both sides.

The matter has been taken up through video



conferencing.

The petitioners No.3, Mukesh Rai, and petitioner No.4, Bhola Rai, apprehend their arrest in Tisiauta P.S. case No. 46/2020 registered under Section 147, 148, 149, 341, 323, 332, 333, 353, 307, 427 of the IPC.

In sum and substance the informant alleged that some persons were quarreling in a quarantine center situated in Utkramit High School, Pranpur. The informant went there and saw Sheo Chandra Sahni and Rajeev Rai quarreling for food. The informant tried to pacify the matter. In the meantime, 41 named and 100 unknown persons reached there, attacked the police and assaulted the police personnel by throwing stones, bricks and Lathi. Many police personnel were injured.

The learned counsel for the petitioners submits that although the petitioners are named in the FIR but no specific allegation of assault is made against them. Only some altercation took place between the persons who were quarantined and the police because they were not being provided proper food.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners No. 3 and 4, above named, in the event of their arrest/ surrender before the



court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IX, Vaishali at Hajipur in connection with Tisiauta P.S. case No. 46/2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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