

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 71313 of 2019

Arising Out of PS. Case No.-410 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. SANOJ RAI Son of Late Jainandan Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 2. Dharmendra Rai Son of Late Jainandan Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 3. Pramod Rai Son of Late Jainandan Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 4. Santosh Rai @ Santosh Kumar Rai Son of Late Jainandan Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 5. Santosh Rai Son of Late Bunilal Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 6. Dilip Rai Son of Late Bunilal Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 7. Randhir Kumar Son of Ram Sagar Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 8. Shashi Kumar Son of Ram Sagar Bhikhari Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 9. Arun Kumar Son of Bhikhari Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.
 10. Rajesh Rai Son of Sukhari Rai Resident of Village - Harpur Ganesh, P.S.- Ganti, (Panapur O.P), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with



Kanti (Panapur OP) Police Station (for brevity, *PS*) Case No 410 of 2019 instituted for the offence punishable under Section (s) 147, 149, 341, 323, 307, 379, 504 of Indian Penal Code.

Learned counsel for the petitioners submits that alleged occurrence, as per First Information Report (for brevity, *FIR*), has taken place on 26.05.2019. *FIR* has, however, been lodged on 06.06.2019. This is clearly indicative of the false implication as an afterthought. Assault by means of *Farsa* has been attributed to co-accused Bijendra Rai. Against the petitioners, there is general and omnibus allegations. There is no grievous injury even as per the statements recorded during course of investigation. Petitioners and prosecution party are agnates and it is a case of false implication. Petitioners have no criminal antecedent.

Learned APP for the State has opposed the prayer for bail.

In the facts and circumstances of the case, prayer of petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the Court below, within four (04) weeks from today, they shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial



Magistrate (West), Muzaffarpur in connection with Kanti (Panapur OP) PS Case No 410 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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