

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.942 of 2020

Arising Out of PS. Case No.-91 Year-2019 Thana- BACHHWARA District- Begusarai

1. ADALAT RAI Son of Late Ramdeo Rai Resident of Village - Chamtha, Nambar, P.S.- Bachhawara, Distt - Begusarai.
2. Ram Khushi Rai Son of Kamleshwar Rai Resident of Village - Chamtha, Nambar, P.S.- Bachhawara, Distt - Begusarai.
3. Sanjit Rai @ Sanjit Kumar Rai Son of Kamleshwar Rai Resident of Village - Chamtha, Nambar, P.S.- Bachhawara, Distt - Begusarai.
4. Ram Sogarath Rai @ Ram Sagorath Rai Son of Late Ramdeo Rai Resident of Village - Chamtha, Nambar, P.S.- Bachhawara, Distt - Begusarai.
5. Chandra Shekhar Rai Son of Late Ramdeo Rai Resident of Village - Chamtha, Nambar, P.S.- Bachhawara, Distt - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Nath Jha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 24-08-2020 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, 379, 307, 504/34 of the Indian Penal Code.



Allegation is that the accused persons including the petitioners assaulted the informant by means of lathi and the butt of the gun, due to which he sustained injuries.

It has been submitted on behalf of the petitioners 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. It is a case and counter case between the parties. Free fight is alleged to have taken place. Injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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 C.J.M., Begusarai in connection with Bachhawara P.S. case No.91 of 2019, 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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