

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85578 of 2019**

Arising Out of PS. Case No.-169 Year-2019 Thana- BARHARA District- Bhojpur

1. RAJENDRA RAI, Son of Late Sukhlal Rai @ Sukhal Rai
2. Vicky Singh @ Vicky Kumar Singh, Son of Bharat Singh  
Both resident of Village-Babura, P.S - Barahara, District -Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Sangeeta Sharma (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      14-02-2020                      Heard learned counsel for the petitioners and  
learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 147, 148, 149, 341, 323, 504, 506, 353, 332, 333 of the Indian Penal Code and Section 37 (c) of Bihar Prohibition and Excise Act, 2016.

It is submitted that in course of settling the dispute between two groups clashing in connection with election matters, the police found three persons from the rival group in drunken condition who were arrested and there is no accusation whatsoever against the petitioners attracting the ingredients of the offence under the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioners that



they are innocent and have falsely been implicated in this case. There is no specific allegation against petitioners and the entire allegations are general and omnibus in nature. Similarly placed co-accused has been granted anticipatory bail by co-ordinate bench of this court vide order dated 28.08.2019 passed in Cr. Misc. No. 53875 of 2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barahara P.S. Case No. 169 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.



(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

**(S. Kumar, J)**

Rajiv/-

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