

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84739 of 2019

Arising Out of PS. Case No.-380 Year-2016 Thana- PATORI District- Samastipur

1. RAMA RAI Son of Late Bangali Rai
 2. Pintu Rai Son of Rama Rai
 3. Rabindra Rai @ Kabindra Rai Son of Rama Rai
 4. Dharmendra Rai Son of Rama Rai
 5. Arun Rai Son of Late Suraj Rai
 6. Lallan Rai Son of Late Suraj Rai
- All the above petitioners are resident of Village - South Dhamoun, P.S. - Patori, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 25-06-2020 Heard both sides through Video Conferencing.

Learned counsel for the petitioners submits that petitioner No.6(Lallan Rai) has already died and, therefore, petition for anticipatory bail on behalf of petitioner No.6 has become infructuous. Accordingly, the same is dismissed.

The petitioners apprehend their arrest in Patori P.S. Case No.380 of 2016 registered under Sections 341, 323, 324, 379, 147, 148, 504 and 307 of the Indian Penal Code.

The informant alleged that on account of non-



payment of loan, the petitioners having armed with different weapons came and indiscriminately assaulted the informant and his family members.

The learned counsel for the petitioners submits that petitioners are neighbours of the informant. There is a counter version being Patori P.S. Case No.379 of 2016. The injuries found on the persons of the informant and others are superficial in nature save and except one injury found on the person of the informant.

Learned A.P.P. has opposed the prayer for bail.

Perused the F.I.R. and the case diary. It appears that there is a specific allegation against all the accused persons. They went to the house of the informant and indiscriminately assaulted the informant and his family members. The informant got three injuries out of which one injury on the shoulder was found grievous in nature. The wife, daughter and other family members of the informant also got injuries.

Taking into consideration the facts aforesaid and the fact that since the case is of the year 2016, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, the



learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

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