

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29024 of 2020

Arising Out of PS. Case No.-136 Year-2020 Thana- MASHRAK District- Saran

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1. Rameshwar Rai @ Rameshwar Ray S/O Mathura Rai R/o Village- Godhna, P.S.- Mashrakh @ Mashrak, District- Saran at Chapra- 841421.
 2. Lallan Rai @ Lalan Ray S/o Mathura Rai R/o Village- Godhna, P.S.- Mashrakh @ Mashrak, District- Saran at Chapra- 841421.
 3. Rakesh Kumar Rai @ Rakesh Rai S/o Rameshwar Rai @ Rameshwar Ray R/o Village- Godhna, P.S.- Mashrakh @ Mashrak, District- Saran at Chapra- 841421.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Jeetendra Narayan, Advocate

For the Opposite Party : Mr. P.K. Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-02-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under section and other ancillary sections of the Indian Penal Code.

As per the prosecution case, some dispute arose between the parties over right of pathway as a result of which marpit took place in which co-accused Nand Lal Rai and petitioner no.2 Lallan Rai assaulted the informant and brother of the informant on the head by *dab*.

Learned counsel for the petitioners submits that due to dispute over pathway, simple marpit took place and so far petitioner no.1 and 3 are concerned, there is no specific allegation of assault against them, whereas petitioner no.2 is



alleged to have assaulted the brother of the informant by *dab* but the injury sustained by him has been found to be simple in nature. There is a case and counter case. Petitioners have got no criminal antecedent as stated in paragraph 3 of the bail petition.

In the facts of the case as well as submissions of the petitioners, prayer for pre-arrest bail of the petitioners is allowed. In the event of arrest or surrender within eight weeks from today, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Saran at Chapra in Mashrakh @ Mashrak Police Station Case No. 136 of 2020, subject to the conditions laid down under section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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