

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33055 of 2020

Arising Out of PS. Case No.-268 Year-2020 Thana- MAHUA District- Vaishali

1. DEVENDRA RAI, S/o Bishundeo Rai Resident of Village- Mansurpur Milki, P.S.- Mahua, District- Vaishali.
2. Raushan Kumar Rai, S/o Harendra Rai Resident of Village- Mansurpur Milki, P.S.- Mahua, District- Vaishali.
3. Birchandra Rai, S/o Yogendra Rai Resident of Village- Mansurpur Milki, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-03-2021 Mr. Sunil Kumar Singh, learned counsel for the

petitioners seeks permission to withdraw this petition

with respect to petitioner no. 3.

The petition with respect to petitioner no. 3,

namely, Birchandra Rai is dismissed as withdrawn.

Heard Mr. Sunil Kumar Singh, learned counsel

for the petitioners; Mr. Prakash Chandra, learned

counsel for the informant; and Mr. Shailendra Kumar,

learned APP for the State.

The petitioner nos. 1 and 2 seek bail in



anticipation of their arrest in connection with Mahua P. S. Case No. 268 of 2020, dated 19.05.2020, instituted for the offences under Sections 147, 148, 149, 447, 323, 324, 307, 379, 504 and 427 of the Indian Penal Code.

The learned counsel for the petitioners has submitted that one Harendra Rai is said to have assaulted the grand son of the informant namely, Tushar Kumar, as a result of which he has received simple injuries. The petitioner nos. 1 and 2 are not attributed with any specific act of assault except for being the order giver and member of the mob respectively.

The other accusation in the F.I.R., with respect to snatching of the personal belongings, appears to have been added in order to add serious colour in this case.

It has further been submitted that because of some past dispute, the present case has been lodged.

Considering the nature of accusation against petitioner nos. 1 and 2, they are directed to be released



on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P. S. Case No. 268 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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