

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32982 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- RAJEPUR District- East Champaran

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1. Rambabu Rai, male, aged about 40 years, S/o Baleshwar Rai Resident of Village-Hanuman Nagar, Police Station-Rajepur, District-East Champaran.
 2. Manoj Kumar, male, aged about 35 years, S/o Kedar Rai, Resident of Village-Balbadrapur, Police Station-Rajepur, District-East Champaran.
 3. Ratnesh Kumar, male, aged about 30 years, S/o Jawahar Lal Rai, Resident of Village-Balbadrapur, Police Station-Rajepur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-03-2021 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioners and Mr. Ramchandra Singh, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Rajepur P.S. Case No. 2 of 2020,

dated 03.01.2020, instituted for the offences under Sections



341, 323, 307, 504 and 34 of the Indian Penal Code.

The petitioner No. 1 is said to have given a *farsa* blow to the informant, whereas the petitioner No. 2 is alleged to have opened fire in the air. The petitioner No. 3 is also said to have assaulted the informant by means of a *farsa*. The dispute took place post the election of PACS.

Learned counsel for the petitioners has submitted that the case has been lodged against the returned candidate and it does not appear to be probable that a candidate who has won in the elections would resort to this kind of act with his supporters.

This arguments is not at all acceptable.

Regard being had to the nature of accusation against the petitioners, I am not inclined to grant them anticipatory bail.

The prayer for grant of anticipatory bail of the petitioners is, accordingly, rejected.

However, if the petitioners surrender before the Court below and seek bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact



that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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