

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34830 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- DORIGANJ District- Saran

1. KRISHNA RAI JIRJODHAN RAI Resident of Village Jaitiya Bajitpur, P.S.- Doriganj, District- Saran at Chapra
2. KASHINATH RAI @ KASHI RAI son of Jirjodhan Rai Resident of Village Jaitiya Bajitpur, P.S.- Doriganj, District- Saran at Chapra
3. HAKIM RAI son of JIRJODHAN RAI Resident of Village Jaitiya Bajitpur, P.S.- Doriganj, District- Saran at Chapra
4. RITESH RAI son of KRISHNA RAI Resident of Village Jaitiya Bajitpur, P.S.- Doriganj, District- Saran at Chapra

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 14.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Doriganj P.S. Case no. 64 of 2020, registered under Sections 341, 323, 387, 307 and 324/34 of the Indian Penal Code.



The accusation is that in the night of 17.05.2020, the informant Nipendra Rai was returning with his truck after unloading the sand and when he reached near Shiv temple at Rahariya Ghat, in the meantime, seven persons named in the F.I.R., including the petitioners, variously armed with weapons stop him and made demand of Rs. 500/-. When informant made protest then Bipin Prasad @ Bipin Rai caused injury at his forehead through Dab, when his brother Lalmohan Rai made protest then he was also assaulted by them. In that course, Jata Rai opened firing, but he saved himself.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that while the petitioners are named in the F.I.R. along with two others, but no specific overt act has been attributed against the petitioners. Moreover, only one lacerated wound was found on the forehead of informant, which is simple in nature. Further submission is that due to business rivalry, hot talks and scuffle took place in which petitioners' side also sustained injuries regarding which Doriganj P.S. Case No. 71 of 2020, under Sections 341, 323 and 324/34 of the Indian Penal Code was instituted on basis of fardbeyan of co-accused Hakim Rai (petitioner No.3) against informant of the present case and others. The petitioners have



no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Doriganj P.S. Case No. 64 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

