

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35218 of 2020

Arising Out of PS. Case No.-137 Year-2020 Thana- MASHRAK District- Saran

1. SUDISH RAI @ SUDISH KUMAR RAI Son of Janak Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
2. Kameshwar Rai @ Kameshar Rai Son of Ram Rup Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
3. Ram Rup Rai Son of Bachu Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
4. Raktu Rai @ Raktu Kumar Son of Kameshwar Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
5. Janak Rai Son of Ram Rup Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
6. Madan Rai Son of Kuldeep Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.
7. Bali Rai @ Galu Rai Son of Madan Rai Resident of Village- Gorhana, Police Station- Mashrakh, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioners and
learned APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 307, 323, 427, 447, 504, 506/34



of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the son and nephew of the informant by means of lathi and danda, due to which they sustained injuries. Petitioner No.2 assaulted the informant by means of lathi causing head injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The nature of injury is said to be simple. Hence no offence under Section 307 of I.P.C. is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate VI, Saran at Chapra in connection with
Mashrakh P.S. case No.137 of 2020, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

Narendra/-

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