

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4003 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- KARJA District- Muzaffarpur

1. RAJESHWAR RAI Son of Ramadhar Singh Resident of Village - Gabasra Bangari, P.S. - Karja, District - Muzaffarpur.
2. BINOD RAI Son of Ramadhar singh Resident of Village - Gabasra Bangari, P.S. - Karja, District - Muzaffarpur.
3. SUMAN KUMAR Son of Ramadhar Singh Resident of Village - Gabasra Bangari, P.S. - Karja, District - Muzaffarpur.
4. LAKSHMAN RAI Son of Ramadhar Singh Resident of Village - Gabasra Bangari, P.S. - Karja, District - Muzaffarpur.
5. RAMESH RAI Son of Ramadhar Singh Resident of Village - Gabasra Bangari, P.S. - Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned 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 147, 148, 149, 323, 324, 307,
379, 427, 435, 504, 506 of the Indian Penal Code and 27 of the
Arms Act.



The prosecution case, in short, is that the accused persons including the petitioners assaulted Lakshman Dev, Chandan Kumar Abhinandan, Mohan Kumar and Nawal Kumar by means of sticks, sword, rifle, due to which they sustained injuries. They also damaged the tractor and motorcycle and set into fire the foodgrains.

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 this case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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 J.M. 1st Class, Muzaffarpur (West) in connection with Karja P.S. case No.15 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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