

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39342 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- ARA MUFFASIL District- Bhojpur

1. RAM LADU RAI @ RAM LADU AHIR son of Sidh Nath Rai Resident of Vill.- Jamira, P.S.- Ara Muffasil, Distt.- Bhojpur.
2. Kamlesh Kumar @ Kamlesh Ahir son of Ram Ladu Rai Resident of Vill.- Jamira, P.S.- Ara Muffasil, Distt.- Bhojpur.
3. Nand Kishor Rai @ Nand Kishor Ahir son of late Shivjee Rai Resident of Vill.- Jamira, P.S.- Ara Muffasil, Distt.- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Mayuri, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-10-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ara Muffasil P.S. Case no. 67 of 2020, registered under Sections 341, 323, 324, 307, 427, 379, 504 and 506/34 of the Indian Penal Code.

The briefly stated allegation made in the F.I.R. that on 10.03.2020 at about 5.00 P.M., Kariya Ahir came and made demand of cloth without payment of money on which informant told that on the day of Holi, he will not supply the cloth without payment. Thereafter, accused Kariya Ahir threatened to teach him lesson and suddenly after five minute,



all named accused persons possessed with deadly weapons assaulted the informant and then co-accused Kariya Ahir assaulted by means of iron rod. It has been further alleged that petitioner No.1 Ram Ladu Ahir took away Rs. 9,000/- from the box containing some clothes. The petitioner No.2 is stated to have caused no injury on the person of the informant, he was having lathi in his hand. The allegation against petitioner No.3 is that he instigated all the accused persons.

It has been submitted by learned counsel appearing on behalf of petitioners that the main allegation of assault is against co-accused Kariya Ahir, so far as these petitioners are concerned, there is no specific complaint of any overt act against them. It also appears from the perusal of the F.I.R. that no seizure list was prepared neither any recovery has been done in support of the said allegation.

Learned A.P.P. for the State, vehemently, opposed the prayer for grant of pre-arrest bail of the petitioners.

Considering the facts and circumstances of the case, let the above named petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today. Each petitioner shall execute a personal bond of



Rs. 50,000/- (Fifty thousand) and on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-IX, Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 67 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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