

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.166 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- MOTIPUR District- Muzaffarpur

1. Om Prakash Rai @ Omprakash Ray Son of Achchhelal Ray Resident of Village - Ratanpura, P.S.- Motipur, Distt.- Muzaffarpur.
2. Ram Babu Rai @ Rambabu Ray Son of Achchhelal Ray Resident of Village - Ratanpura, P.S.- Motipur, Distt.- Muzaffarpur.
3. Sukdeo Rai @ Sukdev Ray Son of Rudal Ray Resident of Village - Ratanpura, P.S.- Motipur, Distt.- Muzaffarpur.
4. Chunnu Rai @ Chunnu Kumar Ray Son of Ram Sakal Ray Resident of Village - Ratanpura, P.S.- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-10-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in connection with Motipur P.S. Case No.27 of 2020 registered for the offence under Sections 147, 148, 149, 120(B), 341, 323, 307, 353, 354, 379, 413, 414, 427, 504 and 511/34 of the Indian Penal Code.

As per allegation in the FIR, co-accused Harishankar Rai and Rahul Kumar have brought the stolen Bolero vehicle and they are changing its colour, proceeded towards the place of



occurrence and seized the vehicle in question and on the instigation of co-accused Harishankar Rai and Rahul Kumar along with their family members about 17 named accused persons including petitioners and 50 unknown persons attacked the Police party, damaged the government vehicle and attempted to snatch arms of the Police party.

Learned counsel for the petitioners submits that the petitioners have committed no offence and they have falsely been implicated in this case. He further submits that there is no specific allegation against the petitioners. The petitioners are alleged to be members of the unlawful assembly. It is further submitted that co-accused Hardev Ray has already been granted anticipatory bail by a Coordinate Bench of this Court passed in Cr. Misc. No. 29464 of 2020 vide order dated 16.12.2020.

However, learned APP for the State vehemently opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, in the event of their arrest or surrender before the court below within a period of six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate



(West), Muzaffarpur in connection with Motipur P.S. Case
No.27 of 2020, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

Brajesh Kumar/-

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