

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.641 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- DIGHA District- Patna

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1. Abhishek Kumar Rai Son of Mahesh Rai Resident of Ramjee Chak, Jahaj Ghat, P.S.-Digha, District-Patna.
 2. Binod Pal Son of Mahesh Rai Resident of Ramjee Chak, Jahaj Ghat, P.S.-Digha, District-Patna.
 3. Suraj Rai Son of Mahesh Rai Resident of Ramjee Chak, Jahaj Ghat, P.S.-Digha, District-Patna.
 4. Deepak Rai Son of Mahesh Rai Resident of Ramjee Chak, Jahaj Ghat, P.S.-Digha, District-Patna.
 5. Roshan Rai Son of Mahesh Rai Resident of Ramjee Chak, Jahaj Ghat, P.S.-Digha, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Nath, Adv.
For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-11-2021 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner nos. 2 and 3, since during the pendency of this case, they have been arrested.

Permission is accorded.

Accordingly, the application of petitioner nos. 2 and 3 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1, 4 and 5 and learned A.P.P. for the State.

The petitioner nos. 1, 4 and 5 apprehend their arrest

in connection with Digha P.S. Case No. 155 of 2020 registered under Sections 341, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. Further submission is that both the parties have entered into compromised the present case, as contained in Annexure-3 to the bail application. Petitioners have no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner nos. 1, 4 and 5 be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the S.D.J.M., Patna in connection with Digha P.S. Case No. 155 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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