

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39275 of 2020

Arising Out of PS. Case No.-248 Year-2020 Thana- NAUBATPUR District- Patna

1. Rahul Kumar Son of Binod Ray @ Binod Rai Resident of Village - Ghanshyampur, P.S.- Naubatpur, District - Patna.
2. Rohit Kumar Son of Binod Ray @ Binod Rai Resident of Village - Ghanshyampur, P.S.- Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For the informant	:	Mr. Satish Chandra, Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioners, informant and learned APP for the State.

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioners seek bail in Naubatpur P. S. Case No 248 of 2020, instituted for the offence under Sections 147,148,149,341,323,324 and 307/302 of the Indian Penal Code.

The prosecution case alleges assault against all the accused persons by various means while the informant was on way home.

It is submitted by the petitioners' counsel that specific assault is against co-accused Ajit Kumar, Santosh Kumar, Anil Rai, Gaya Rai and Devendra Rai. The petitioners have been



named in the later part of the First Information report with omnibus allegation of assault by iron rod. It is submitted that their implication is not with specific allegation and it is based on extraneous consideration. They have no criminal antecedents and are in custody since 20.05.2020.

The learned APP for the State and counsel for the informant have opposed the prayer for bail by submitting that the informant has also alleged assault against the petitioners.

Considering the rival submissions, let the petitioners, above named, 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 the learned Additional Chief Judicial Magistrate- III, Danapur, Dist. Patna, in connection with Naubatpur P. S. Case No 248 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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