

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.953 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- CHIRAIYA District- East Champaran

1. Radheyshyam Prasad @ Radheyshyam Rai Son of Late Swayamvar Das Resident of Village Dharharwa, P.S.-Chiraiya, District-East Champaran.
2. Gaurishankar Rai @ Gauri Rai S/o Ramswarth Rai Resident of Village Dharharwa, P.S.-Chiraiya, District-East Champaran.
3. Satyanarayan Rai S/o Ramswarth Rai Resident of Village Dharharwa, P.S.-Chiraiya, District-East Champaran.
4. Ashok Prasad @ Ashok Rai S/o Gaurishankar Rai Resident of Village Dharharwa, P.S.-Chiraiya, District-East Champaran.
5. Kishore Rai S/o Late Fulendra Rai Resident of Village Dharharwa, P.S.-Chiraiya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-12-2021 At the outset, learned counsel for the petitioners submits that he may be permitted to withdraw the anticipatory bail petition filed on behalf of petitioner no.3.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn so far as petitioner no.3 is concerned.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Chiraiya P.S.



Case No.71 of 2020, registered for the offences punishable under Sections 147, 148, 307, 323 and 504 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons came to the house of the informant and assaulted him along with family members due to which they sustained injuries.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. It is further submitted that there is case and counter case between the parties. General and omnibus allegation is made against the petitioners. It is submitted that similarly situated other co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court by order dated 15.07.2021, passed in Cr. Misc. No.433 of 2021. It is submitted that petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

Having considered the fact that similarly situated other co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court, let petitioners no.1, 2, 4 and 5, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of



Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No.71 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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