

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5825 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- MADHUBAN District- East Champaran

1. ARVIND RAI @ ARVIND KUMAR SON OF RAMSOGARATH RAI
RESIDENT OF VILLAGE BAHUARA BHAN, PS
MADHUBAN, DISTRICT-EAST CHAMPARAN (MOTIHARI).
2. RAMESH RAI @ RAMESH KUMAR S/O RAMCHANDRA RAI
RESIDENT OF VILLAGE BAHUARA BHAN, PS MADHUBAN
DISTRICT EAST CHAMPARAN (MOTIHARI)
3. HIRALAL RAI @ HIRIALAL YADAV S/O RAMCHANDRA RAI
RESIDENT OF VILLAGE BAHUARA BHAN, PS MADHUBAN
DISTRICT EAST CHAMPARAN (MOTIHARI)
4. NITISH RAI @ NITISH KUMAR S/O RAMCHANDRA RAI RESIDENT
OF VILLAGE BAHUARA BHAN, PS MADHUBAN DISTRICT EAST
CHAMPARAN (MOTIHARI)
5. UPENDRA RAI @ UPENDRA YADAV S/O RAMCHANDRA RAI
RESIDENT OF VILLAGE BAHUARA BHAN, PS MADHUBAN
DISTRICT EAST CHAMPARAN (MOTIHARI)
6. RAVINDRA RAI S/O RAMCHANDRA RAI RESIDENT OF VILLAGE
BAHUARA BHAN, PS MADHUBAN DISTRICT EAST CHAMPARAN
(MOTIHARI)
7. RAMCHANDRA RAI S/O RAMSWAROOP RAI RESIDENT OF
VILLAGE BAHUARA BHAN, PS MADHUBAN DISTRICT EAST
CHAMPARAN (MOTIHARI)
8. RAMBALAK RAI S/O RAMSWAROOP RAI RESIDENT OF VILLAGE
BAHUARA BHAN, PS MADHUBAN DISTRICT EAST CHAMPARAN
(MOTIHARI)
9. SAMAN RAI @ SHRAVAN KUMAR S/O RAM BALAK RAI RESIDENT
OF VILLAGE BAHUARA BHAN, PS MADHUBAN DISTRICT EAST
CHAMPARAN (MOTIHARI)
10. PAWAN RAI @ PAWAN YADAV S/O RAM BALAK RAI RESIDENT OF
VILLAGE BAHUARA BHAN, PS MADHUBAN DISTRICT EAST
CHAMPARAN (MOTIHARI)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhusudan Rai, Advocate
For the Opposite Party/s	:	Mr. Amit Bhushan, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, In-charge APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR



ORAL ORDER

3 02-12-2021 Heard the parties including Mr. Amit Bhushan, learned counsel for opposite party no. 2.

This application for anticipatory bail arises out of Madhuban P.S. Case No. 65 of 2020 for the offence punishable under Sections 147, 447, 341, 323, 324, 325, 307, 448, 379, 504 and 506 of the Indian Penal Code.

It is submitted that altogether, five persons have been injured in the present case. It is being contended by the learned counsel for the petitioners that the injuries alleged to have been caused by the petitioners are simple in nature, therefore, they deserve anticipatory bail.

Learned counsel for the informant submits that earlier also a case was filed in which the accused side were granted bail on 19.12.2017, but in spite of the condition imposed in the last para of bail order, they have resorted to assault the entire family of the informant. There are ten petitioners in this case. Petitioners no. 7 and 8 are senior citizen and they may not be involved in the assault on the prosecution side. Prayer for anticipatory bail of the above named petitioners no. 7 and 8 is allowed.

Accordingly, let above named petitioner nos. 7 and 8, in the event of their arrest or surrender within four weeks from



today, 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 A.C.J.M., East Champaran, Motihari in connection with Madhuban P.S. Case No. 65 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Considering the injuries sustained by the five members of the prosecution side, prayer for anticipatory bail of the above named petitioners no. 1 to 6, 9 and 10 are rejected. They are directed to surrender within four weeks from today.

With the aforesaid direction and observation, this application for anticipatory bail is partly allowed.

(Sandeep Kumar, J)

pravinkumar/-

U			
---	--	--	--

