

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8895 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- ISUAPUR District- Saran

1. LAL BHADUR RAI Son of Late Chandrika Rai Resident of Village- Lauwa, P.S.- Isuapur, District- Saran.
2. Vijay Rai Son of Late Chandrika Rai Resident of Village- Lauwa, P.S.- Isuapur, District- Saran.
3. Suman Kumar Son of Shambhu Rai Resident of Village- Lauwa, P.S.- Isuapur, District- Saran.
4. Bhushan Kumar Son of Baliram Rai Resident of Village- Lauwa, P.S.- Isuapur, District- Saran.
5. Jaglal Rai Son of Late Jaleshwar Rai Resident of Village- Lauwa, P.S.- Isuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh
For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2021 At the outset, it is submitted by learned counsel for the petitioners that during pendency of this application, petitioner nos. 1, 2, 4 and 5 have been arrested and, as such, he seeks permission to withdraw this application against them.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner nos. 1, 2, 4 and 5.

Heard learned counsel for the petitioner no. 3 and learned APP for the State.

Learned counsel for the petitioner no. 3 is expected to



honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Isuapur P.S. Case no. 113 of 2020 instituted for the offence under Sections 341, 323, 325, 307, 379, 504 and 447/34 of the Indian Penal Code.

As per allegation in the FIR, when the informant was grazing his goat in the way, petitioner along with other co-accused persons came there and assaulted him with lathi and danda on his head and hand resulting into injuries and snatched his gold chain.

Learned counsel appearing on behalf of the petitioner no. 3 has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The occurrence took place over a trivial dispute. Specific allegation of assault against co-accused Vijay Rai and Shivji Rai and not against petitioner no. 3.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioner no. 3 on bail. The petitioner no. 3, namely, Suman Kumar is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Isuapur P.S. Case no. 113 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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