

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85764 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- DESARI District- Vaishali

1. MANOJ RAI Son of Jatta Rai Resident of Village-Rasulpur Mahib, Police Station-Desari, District-Vaishali at Hajipur.
2. Sanoj Rai Son of Jatta Rai Resident of Village-Rasulpur Mahib, Police Station-Desari, District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Anil Kumar Sinha, Advocate
For the State	:	Mrs.Madhuri Lata, APP
For the informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-03-2021 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 302, 120B of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons including the petitioners surrounded the nephew of the informant, namely, Munna Kumar and they caught hold of Munna Kumar and gagged the mouth of Munna Kumar and co-accused Lala Rai fired upon Munna Kumar from his pistol, due to which Munna Kumar died on the spot.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have falsely been implicated in the present case. The main allegation of assault is alleged against the co-accused Lala Rai @ Lala Kumar. There is no allegation of assault alleged against the petitioners. No injury is said to have been caused by the petitioners. Co-accused have been granted anticipatory bail vide Annexure 2 to the present application.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Vaishali at Hajipur in connection with Desri P.S. case No.54 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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