

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13921 of 2021**

Arising Out of PS. Case No.-253 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

1. MADAN MOHAN RAI Son of Late Shiv Kumar Rai Resident of Village- Dhari, P.S. - Kudra, P.O.- Badarua, District - Kaimur at Bhabua.
2. SUNIL RAI Son of Gudari Rai Resident of Village- Dhari, P.S. - Kudra, P.O.- Badarua, District - Kaimur at Bhabua.
3. PANKAJ RAI @ PANKAJ KUMAR RAI Son of Gudari Rai Resident of Village- Dhari, P.S. - Kudra, P.O.- Badarua, District - Kaimur at Bhabua.
4. MANOJ RAI @ MANOJ KUMAR RAI Son of Gudari Rai Resident of Village- Dhari, P.S. - Kudra, P.O.- Badarua, District - Kaimur at Bhabua.
5. ROHIT RAI @ JHURI RAI son of Madan Mohan Rai Resident of Village- Dhari, P.S. - Kudra, P.O.- Badarua, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Pandey  
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      24-02-2022                      Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Kudra P.S. Case No. 253 of 2020 registered for the offence under Sections 147, 149, 341, 323, 324, 325, 307, 354, 379, 504 and 506 of the Indian Penal Code.

Allegedly, in the backdrop of digging a land, the dispute



arose and in consequence thereof, the accused persons having armed attacked the informant and his brother, as a result of which, the informant's brother sustained head injuries. When the other family members of the informant came to rescue, they were also assaulted.

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 been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-VI, Kaimur at Bhabua in connection with Kudra P.S. Case No. 253 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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