

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6905 of 2022**

Arising Out of PS. Case No.-102 Year-2021 Thana- JURAWANPUR District- Vaishali

1. MUKESH RAI Son of Upendra Rai @ Dhigan Rai Resident of Village- Raghapur East, P.S.- Jurawanpur, District- Vaishali.
2. Upendra Rai @ Dhigan Rai Son of Late Gauri Rai Resident of Village- Raghapur East, P.S.- Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-08-2022                      It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 1 has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 1.

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

So far as petitioner no. 2 is concerned the instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Jurawanpur P.S. Case no. 102 of 2021 instituted for the offence under Sections



147, 148, 149, 323, 307, 504, 506 of the Indian Penal Code. And Sections 25(1-b)a/26 and 27 of the Arms Act.

As per allegation in the FIR, on the order of co-accused Upendra Rai, petitioner and Umesh Rai fired from pistol which hit to Mithilesh Rai on his left palm. It is further alleged that several accused persons armed with lathi danda came there and started to abuse and assault as a result of which grand son of the informant also sustained head injury. Two empty cartridges were also recovered from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Doctor has opined the nature of injury received by the informant is simple and on non-vital part.

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. 2 on bail. The petitioner no. 2 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 Jurawanpur P.S. Case no. 102 of



2021, 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 A.C.J.M. IX, Hajipur, Vaishali subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

