

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18202 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- DIGHA District- Patna

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1. Wakil Rai, aged about 58 years (M), Son of Kishori Rai
 2. Kamlesh Rai, aged about 35 years (M)
 3. Babu Saheb, aged about 29 years (M)
 4. Jitendra Kumar, aged about 25 years (M)
 5. Ranjan Kumar, aged about 18 years (M)
All sons of Wakil Rai,
All residents of Nirala Nagar (Nirala Colony), P.S.- Digha, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-03-2022 Heard Mr. Mukesh Kumar, learned Advocate for the

petitioners and learned Additional Public Prosecutor for the

State.

Mr. Mukesh seeks permission to withdraw this
application with respect to petitioner no.4 who has been arrested
during pendency of this application.

Accordingly, this application with respect to petitioner
no.4, stands dismissed as withdrawn.

The petitioner nos. 1, 2, 3 and 5 seek bail in
anticipation of their arrest in connection with Digha P.S. Case



No. 191 of 2020 dated 21.03.2020 instituted for the offences under Sections 323, 325, 307, 504, 506/34 of the Indian Penal Code.

The petitioners are said to have assaulted the prosecution party but it has not been specifically stated in the F.I.R. as to who assaulted whom and in what manner. Some of the persons from the side of the prosecution have received only simple injuries.

The learned counsel for the petitioner has submitted that from the F.I.R. it would appear that there is a dispute between the parties. Some occurrence may have taken place between the warring factions including the petitioners and the members of the prosecution party but there does not appear to be any intention on the part of anyone of the accused persons to have caused any life threatening injury to any one of the victims.

Considering the facts aforesaid and taking into account the petitioner nos. 1, 2, 3 & 5 namely Wakil Rai, Kamlesh Rai, Babu Saheb and Ranjan Kumar have clean antecedent, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a



copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 191 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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