

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13638 of 2022

Arising Out of PS. Case No.-96 Year-2021 Thana- GANGABRIDGE District- Vaishali

1. AJAY RAI Son of Param Rai Resident of Village - Chhawaniya, P.s.- Ganga Bridge, Distt.- Vashasli.
2. VIJAY RAI Son of Nawal Rai Resident of Village - Chhawaniya, P.s.- Ganga Bridge, Distt.- Vashasli.
3. NAWAL RAI Son of Nagendra Rai Resident of Village - Chhawaniya, P.s.- Ganga Bridge, Distt.- Vashasli.
4. MANOJ RAI Son of Vinod Rai Resident of Village - Chhawaniya, P.s.- Ganga Bridge, Distt.- Vashasli.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Learned counsel for the petitioners seek to withdraw this application as against petitioner no.4 as he has already been arrested by the police during the pendency of the bail application.



Permission is granted.

Accordingly, the instant application for petitioner no.4 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner nos. 1, 2 and 3 only.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal and 27 of the Arms Act.

Allegedly, the petitioners along with other accused persons came at the house of the informant with weapons and abused him in filthy language. The petitioners also assaulted and abused the informant's side.

Learned counsel for the petitioner submits that petitioners are quite innocent and has not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of his enemies. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. There is a case and counter-case between the parties. There is no specific overt act against the petitioners. He further submits that the specific allegation of assault is upon Manoj Rai who gave hasua



blow on the head of the informant due to which he sustained grievous injury. Similarly situated co-accused has been granted bail by this court in Cr. Misc. No.2082 of 2022 dated 08.08.2022. Petitioners have two criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since similarly situated co-accused has been granted anticipatory bail by this court, let the above named petitioner nos. 1, 2 and 3, in the event of their 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.25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Ganga Bridge P.S Case No.96 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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