

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1 of 2022

Arising Out of PS. Case No.-793 Year-2020 Thana- SONEPUR District- Saran

1. SOHAN KUMAR @ SOHAN RAI Son of Late Santlaal Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
2. Rakesh Kumar Son of Harendra Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
3. Harendra Rai Son of Late Basudev Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
4. Vinod Kumar Son of Girija Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
5. Avinash Kumar Son of Prakash Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
6. Mannu Kumar @ Abhimanyu Rai @ Abhimanyu Kumar Son of Prakash Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
7. Sanjay Kumar Son of Harendra Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.
8. Niraj Kumar Son of Raj Kumar Rai Resident of Village - Najarmira, P.S.- Sonpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 303, 307, 427, 379, 506 and 34 of the Indian Penal Code and 24 of the Arms Act.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the petitioners were running *bhatti* adjoining to his *bathan* which was being objected on account of which the present occurrence took place, it is alleged that Rakesh Kumar (petitioner no. 2) fired from his illegal pistol and started pelting stones which damaged the vehicle of the informant and also injured three victims, further all the accused persons dragged the female of the house and snatched gold chain.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case, it is next submitted that on account of land dispute, the present occurrence took place, it is also submitted that petitioners are not criminals and the injuries suffered to the side of the informant are simple in nature as would manifest from Annexure-3 to the anticipatory bail application. It is next submitted that there is a case and a counter-case between the parties and from the side of the petitioner Sonpur P.S. Case. No. 804 of 2020 has been instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned



counsel for the petitioners and the fact that the injuries suffered are simple in nature, the petitioners above-named, in the event of their arrest or 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/- (Rupees Ten 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 Sonpur P.S. Case No. 793 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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