

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23813 of 2022

Arising Out of PS. Case No.-365 Year-2021 Thana- CHIRAIYA District- East Champaran

1. RAKESH KUMAR Son of Raghav Prasad Yadav Resident of Village - Mohiddipur, P.S.- Chiraiya, District - East Champaran.
2. Mukesh Kumar @ Mukesh Kumar Rai Son of Ram Swarath Rai @ Ram Swarth Kumar Rai @ Ram Swarath Prasad Resident of Village - Mohiddipur, P.S.- Chiraiya, District - East Champaran.
3. Ram Swarth Kumar Rai @ Ram Swarath Prasad @ Ram Swarath Rai Son of Jagrup Rai Resident of Village - Mohiddipur, P.S.- Chiraiya, District - East Champaran.
4. Raju Kumar Son of Kameshwar Rai Resident of Village - Mohiddipur, P.S.- Chiraiya, District - East Champaran.
5. Binay Kumar Son of Sakal Rai Resident of Village - Mohiddipur, P.S.- Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147,148,149,341,188, 323,307,332,335,353,427,504,506 of the Indian Penal Code.

As per the prosecution case, 15 named including these petitioners & 100-125 people, armed with *lathi-danda*, started pelting stones, bricks and abused the police officials and tried to disturb the *panchayat* election.

It is submitted on behalf of petitioners that petitioners have been named in the F.I.R. on the basis of confessional statement of co-accused persons, who were apprehended on



spot. As a matter of fact, petitioners were not present at the place of occurrence, in spite of that, these petitioners have been made accused in this case. Allegations against these petitioners are general and omnibus.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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 S.D.J.M., Sikrahana at Dhaka, District – East Champaran in connection with Chiraiya P.S. Case No. 365 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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