

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36206 of 2021

Arising Out of PS. Case No.-588 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. BHAGYA NARAIN RAI Son of Late Rameshwar Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
2. Chandan Rai Son of Late Lalan Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
3. Ravindra Rai Son of Khedal Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
4. Prem Rai Son of Paras Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
5. Sunder Rai Son of Kapil Dev Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
6. Ramyash Rai Son of Late Dhannu Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.
7. Tinku Rai Son of Kishori Rai Resident of Village - Hussepue Naya Tola, P.S. Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

Learned counsel for the petitioners seeks permission of the Court to withdraw the present application in respect of



petitioner Nos. 1 and 3 as they have been taken into judicial custody.

The application is dismissed as withdrawn in respect of petitioner nos. 1 and 3.

The petitioner Nos. 2, 4 to 7 are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 504, 506, 307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons, variously armed, assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of petitioner Nos. 2, 4 to 7 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 2, 4 to 7. The petitioner Nos. 2, 4 to 7 have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner Nos. 2, 4 to 7 are named in the F.I.R.

Considering the aforesaid facts and circumstances,



let the petitioner Nos. 2, 4 to 7, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 A.C.J.M.- 1st, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 588/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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