

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35108 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- JANTA BAZAR District- Saran

1. Kritlal Rai S/O Late Ramayan Rai R/O Village-Kateya, P.S-Janta Bazar, District-Saran.
2. Rakesh Kumar @ Rajesh Rai S/O Ram Pukar Rai R/O Village-Kateya, P.S-Janta Bazar, District-Saran.
3. Laddu Rai @ Amarjeet Rai S/O Late Deo Charan Rai R/O Village-Kateya, P.S-Janta Bazar, District-Saran.
4. Bijay Rai @ Abhijit Kumar S/O Ram Pukar Rai R/O Village-Kateya, P.S-Janta Bazar, District-Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 27.11.2020 at around 2.15 P.M., when she was at her door, when nine accused persons including the



petitioners came hurling abuses and started assaulting her with rod and danda.

It is next alleged that Mithilesh Rai assaulted with an iron rod on her head causing injury and when her husband Birendra Rai along with Krishna Kumar and Mukesh Kumar intervened to save her when Ram Pukar Rai assaulted Krishna Kumar with garasa on his head causing injury and thereafter, Sri Bhagwan Rai assaulted Birendra Rai causing injury on head.

It is next alleged that the accused persons also assaulted Mukesh Kumar. It is next alleged that Vijay Rai and Rajesh Rai tore the clothes and co-accused Shanti Devi and Girja Devi snatched her gold chain and jiyutia and accused Rajesh Rai snatched gold of Krishna Kumar. It is next alleged that the injured were taken to hospital in a serious condition for treatment.

The learned counsel for the petitioners submits that the specific allegation of assault is against Mithilesh Rai, Ram Pukar Rai and Sri Bhagwan Rai. The petitioners are not alleged to be the assailant. It is next submitted that even the F.I.R. does not even remotely suggest the reason for the occurrence. It is next submitted that there is a case and counter-case that an F.I.R. being Janta Bazar P. S. Case No.212 of 2020 was instituted from



the side of the present petitioner against the informant and others. It is next submitted that the allegation of snatching and tearing cloths has been made only to give a serious colour to the case.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are not alleged to be the assailant, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum 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 in connection with Janta Bazar P. S. Case No.211 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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