

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38780 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- ISUAPUR District- Saran

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1. BACCHA RAI S/O JAMEDAR RAI R/O VILLAGE-NIPANIA, P.S-ISUAPUR, DISTRICT-SARAN.
 2. RAMNATH RAI S/O JAMEDAR RAI @ JAMADAR RAI R/O VILLAGE-NIPANIA, P.S-ISUAPUR, DISTRICT-SARAN.
 3. DINESH KUMAR S/O MOHAN RAI R/O VILLAGE-NIPANIA, P.S-ISUAPUR, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-06-2022 Learned counsel for the petitioners submits that petitioner no. 1 Baccha Rai and petitioner no. 2 Ramnath Rai were arrested during the pendency of the anticipatory bail application, as such, the prayer for anticipatory bail application against them has become infructuous, thus, seeks permission to withdraw the same against them.

Permission is accorded.

Heard learned counsel for the petitioner no. 3 and learned A.P.P. for the State.

Petitioner no. 3 Dinesh Kumar apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 354(B), 427, 379, 504 and 506/34 of the Indian Penal Code.



Learned counsel for the petitioner no. 3 submits that the petitioner no. 3 is a person with clean antecedent and no specific allegation of assault is alleged against petitioner no. 3 by the informant in the FIR. The allegation of assault is general and omnibus in nature and the injury found on the person of the injured is simple in nature. Learned counsel further submits that similarly situated co-accused Ramesh Kumar @ Ramesh Kumar Yadav has been granted anticipatory bail vide order dated 20.06.2022 passed in Cr. Misc. No. 42045 of 2021.

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

Considering the submissions made by the learned counsel for the petitioner no. 3, petitioner no. 3 above-named, in the event of his 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.5,000/- (Rupees Five Thousand) 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 Isuapur P.S. Case No. 32 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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