

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32587 of 2022

Arising Out of PS. Case No.-204 Year-2019 Thana- PATNA CITY CHOWK District- Patna

1. Arvind Rai @ Virendra Rai Son Of Vipat Rai Resident Of Village-Kanganghat, P.S.-Chowk, District-Patna.
2. Bhutiya @ Santosh Son Of Sri Vipat Rai Resident Of Village-Kanganghat, P.S.-Chowk, District-Patna.
3. Guddu Rai Son Of Sri Vipat Rai Resident Of Village-Kanganghat, P.S.-Chowk, District-Patna.
4. Bitthal Rai Son Of Sri Baldeo Rai Resident Of Village-Kanganghat, P.S.-Chowk, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam
For the Opposite Party/s : Mr.H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Learned counsel for the petitioners submits that the petitioner nos. 1, 2 and 3 have been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner nos. 1, 2 and 3.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner nos. 1, 2 and 3.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioner.

Learned counsel for the petitioner undertakes to



remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 307 and 504 of the Indian Penal Code.

Prosecution story relates to abuse and assault to the informant by the petitioners and other co-accused persons by means of lathi and danda with intention to kill him as a result of which he received grievous injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific allegation against co-accused Guddu Rai. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 21.12.2021 passed in Cr. Misc. No. 16313 of 2021. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.



Considering the facts and circumstances of the case and the fact that similarly situated co-accused has already been granted bail, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Chowk P.S. Case No. 204 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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