

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33590 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

1. GANESH RAI S/o Suresh Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
2. Prakash Kumar S/o Surendra Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
3. Dilip Kumar Rai S/o Jagdish Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
4. Rakesh Kumar S/o Ramesh Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147/ 148/ 149/ 452/ 341/ 323/ 324/ 354/ 307/ 380/ 504 of IPC and section 27 of the Arms Act.

Allegedly, all the FIR named accused persons including



40 to 50 unknown miscreants entered the house of informant and have indiscriminately assaulted the informant's side by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against co-accused Sandeep Kumar, Awadhesh Rai, Umesh Rai and Butesh Rai, Amarjeet, Vikash, Chul Bul. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties. Petitioner no.1 & 2 have two criminal antecedent, petitioner no.3 has one criminal antecedent and petitioner no.4 has no criminal antecedent, as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is case and counter-case between the parties and there is no specific allegation against the petitioners named above, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of



six weeks from today, 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
Ara Muffasil P.S. Case No.316 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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