

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35890 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

1. Amar Nath Rai S/O Chanarik Rai Resident Of Village- Ebrahimabad, P.S.- Raghapur, District- Vaishali.
2. Kunal Rai S/O Chanarik Rai Resident Of Village- Ebrahimabad, P.S.- Raghapur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners 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 petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 379, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners in association with other co-accused is said to have entered in the shop of the informant's brother,



abusing and assaulted him and accused Karu Rai and Mukesh Rai fired from their pistol on the informant with an intention to kill him, but he anyhow saved.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is specific overt act against the co-accused Karu and Mukesh Rai. He submits that the informant has lodged this case only with a view to save his own skin. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 15.09.2022 passed in Cr. Misc. No. 32996 of 2022. 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, 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 Raghopur P.S. Case No. 59 of 2022, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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