

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39222 of 2022

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

1. SANDEEP KUMAR YADAV S/o Surendra Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
2. Pintu Kumar @ Biteshwar Rai S/o Kariya Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
3. Sanjeet Kumar Rai @ Chulbul S/o Manakdhar Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
4. Vikash Kumar S/o Surendra Rai R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioner no.3, Sanjeet Kumar Rai @ Chulbul as he has already been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.3, Sanjeet Kumar Rai @ Chulbul is concerned.

Heard both sides.

The petitioners apprehend their arrest in connection



with Ara Muffasil P.S. Case No.316 of 2021, registered for the offences punishable under Sections 147, 148, 149, 452, 341, 323, 324, 354, 307, 380 and 504 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The prosecution case, in brief, is that on 25.11.2021 at 7.30 P.M., when the informant was in his house, the petitioners alongwith other co-accused persons and 40-50 unknown persons came at his darwaza and started abusing the informant. When the informant objected, Sandeep Kumar, petitioner no.1 assaulted him by means of farsa on his head causing bleeding injury. Thereafter Butesh, Sandeep, Amarjeet, Vikash, Chulbul started firing and entered into the house of the informant. They broke the box and took ornaments made of gold and cash Rs.2,20,000/-. The accused persons also assaulted the wife of the informant. When Umesh Rai and Rajesh Rai came to save me, Butesh and Awadhesh assaulted Umesh Rai by means of katta on his head causing bleeding injury and thereafter the accused persons fled away from there.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got criminal antecedents as stated in paragraph-3 of the bail



application. It is further submitted that there is case and counter case between the parties and both sides sustained injuries. Learned counsel for the petitioners submits that the matter has been compromised between the parties. The compromised petition has been enclosed but no order has been passed on the compromise petition by the learned court below.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners no.1, 2 and 4, above named, 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 bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No.316 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

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