

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43366 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- FORBESGANJ District- Araria

1. RAVIKANT RAI Son of Gulabchand Rai Resident of village- East Kurhaili, Rai Tola, Ward No. 8, P.S- Forbesganj, Dist- Araria
2. Jay Kant Rai Son of Gulabchand Rai Resident of village- East Kurhaili, Rai Tola, Ward No. 8, P.S- Forbesganj, Dist- Araria
3. Gandhar Rai @ Jandhar Rai Son of Gulabchand Rai Resident of village- East Kurhaili, Rai Tola, Ward No. 8, P.S- Forbesganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the allegation in the FIR is that the deceased was assaulted by Sanoj Rai who died.

Learned counsel for the petitioners submits that petitioners are not named in the FIR and their name transpired



during the course of investigation but the police after investigation submitted Final Form No. 347 of 2021 dated 31.05.2021 in favour of the petitioners but the learned trial court, differing with the police report, took cognizance of the offence against the petitioners, learned counsel further submits that an investigating agency after carrying a threadbare investigation found the petitioners to be innocent as no material transpired during the investigation connecting them with the offence, hence sending them to jail based on the same investigation on which the cognizance came to be taken would amount to travesty of justice, for the present.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten 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 Forbesganj P.S. Case No. 178 of 2021 subject to the conditions



as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

