

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53827 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- BHELDI District- Saran

1. DHANESHWAR RAI SON OF CHANDI RAI RESIDENT OF VILLAGE-
MADARPUR, POLICE STATION- BHELDI, DISTRICT- SARAN AT
CHAPRA
2. ARUN RAI @ ARUN KUMAR SON OF BAGHA RAI RESIDENT OF
VILLAGE- MADARPUR, POLICE STATION- BHELDI, DISTRICT-
SARAN AT CHAPRA
3. SUMAN RAI @ SUMAN YADAV SON OF BINDESHWARI RAI
RESIDENT OF VILLAGE- MADARPUR, POLICE STATION- BHELDI,
DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-06-2022 Heard the learned counsel for the petitioners and

the State.

The present petition has been filed on behalf of the

petitioners apprehending their arrest, in connection with

Bheldi P. S. Case No. 67 of 2021, registered for the

offences punishable under Sections 341, 322, 323, 325,

307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

As per the allegation, the informant, who is a truck

driver, was abused and assaulted by the petitioners with iron



rod, lathi, danda etc. and was also threatened of dire consequences.

The learned counsel for the petitioners has submitted that the complainant and the petitioners are neighbours and during the course of scuffle, there is injury on the petitioners' side also. He has further submitted that the petitioners have also filed a case bearing Bheldi P. S. Case No. 68 of 2021 against the informant.

It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

It has further been stated that the petitioners have no criminal antecedent.

The learned APP for the State has opposed the prayer for bail.

Considering the afore-stated facts and circumstances, the petitioners above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from



the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Shri Sushant Sagar, learned Judicial Magistrate, Saran at Chapra in connection with Bheldi P. S. Case No. 67 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing him and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed



to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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