

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39904 of 2020**

Arising Out of PS. Case No.-249 Year-2020 Thana- GARKHA District- Saran

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1. SARWA RAI @ SARWAND YADAV Son of Late Radhey Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  2. Akhilesh Rai @ Akhilesh Kumar Son of Late Radhey Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  3. Ganga Rai @ Ganga Dayal Rai Son of Late Ramchandra Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  4. Ganesh Rai Son of Late Ramchandra Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  5. Raghuvindra Rai Son of Ganga Rai @ Ganga Dayal Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  6. Surendra Rai Son of Ganga Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  7. Bhulan Rai Son of Late Prabhu Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)
  8. Pintu Rai Son of Raghubir Rai Resident of Village - Bhaismara, P.S.- Garkha, Distt.- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr. Sachida Nand Rai, Adv. |
| For the Opposite Party/s | : | Mr. Pranav Kumar, APP      |

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**

ORAL ORDER

4      18-01-2022      Learned counsel for the petitioners seeks permission

to withdraw the application of petitioner no. 3 Ganga Rai @ Ganga Dayal Rai, petitioner no. 5 Raghuvindra Rai and petitioner no. 6 Surendra Rai, since during the pendency of this case, they have been arrested.

Permission is accorded.

Accordingly, the application of petitioner nos. 3, 5 and 6 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1, 2, 4, 7 and 8 and learned A.P.P. for the State.

The petitioner nos. 1, 2, 4, 7 and 8 apprehend their arrest in connection with Garkha P.S. Case No. 249 of 2020 registered under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that there is specific allegation against the co-accused persons namely, Saheb Rai and Sonu Rai. Petitioners have no criminal history.

Having considered the above facts and circumstances of the case, let the above named petitioner nos. 1, 2, 4, 7 and 8 be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today,

on furnishing personal bond to the satisfaction of the Additional Chief Judicial Magistrate-XIV, Chapra, Saran in connection with Garkha P.S. Case No. 249 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Arvind Srivastava, J)**

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