

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61581 of 2021

Arising Out of PS. Case No.-300 Year-2021 Thana- MASHRAK District- Saran

1. Jamuna Rai Son of Baldeo Rai Resident of Village- Bali Vishunpura, P.S.- Masarakh, District- Saran at Chapra.
2. Punkal Rai Son of Baldeo Rai Resident of Village- Bali Vishunpura, P.S.- Masarakh, District- Saran at Chapra.
3. Raghu Rai @ Raghunath Rai Son of Baldeo Rai Resident of Village- Bali Vishunpura, P.S.- Masarakh, District- Saran at Chapra.
4. Saryug Rai Son of Baldeo Rai Resident of Village- Bali Vishunpura, P.S.- Masarakh, District- Saran at Chapra.
5. Ramjit Rai @ Medha Rai Son of Late Algu Rai Resident of Village- Bali Vishunpura, P.S.- Masarakh, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rabindra Kumar Tiwari
For the Opposite Party/s :	Mr.Ramchandra Sahnii
	Mr. Rananjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 341, 323, 427, 307, 504, 506, 34 of the

Indian Penal Code.

The prosecution case as per F.I.R is that all the

accused persons including petitioners, variously armed



came in the house of the informant when he was repairing his palani and told to remove the palani and when the informant raised protest, all the accused persons started assaulting the informant and when other family members of the informant came to his rescue, they were also assaulted by the accused persons. It is specifically alleged against petitioner No. 1 that he assaulted with iron rod on the nephew of the informant as a result of which, he sustained head injuries. The accused persons also set the palani of the informant on fire.

It is submitted by learned counsel for the petitioners that in the background of some land dispute, the present F.I.R has been registered. There is counter version of the occurrence also and petitioners' side also received injuries. There is no accusation of repeating the blow. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that petitioner No. 1



assaulted the nephew of the informant, as a result of which he received grievous injuries, this Court is not inclined to grant anticipatory bail to petitioner No. 1. The prayer for grant of anticipatory bail to petitioner No. 1 is rejected.

In the facts and circumstance of the case, let the petitioners, above named, except petitioner No. 1, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Mashrakh P.S. Case No. 300 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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