

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68784 of 2021

Arising Out of PS. Case No.-368 Year-2021 Thana- CHAPRA TOWN District- Saran

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1. CHULHAN RAI Son of Late Ram Badan Rai
 2. Vikrma Rai Son of Late Ram Badan Rai
Both are Residents of Village - Purbi Rouza Ward no. - 45, Police
Station - Chapra Town, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-07-2022 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 2 as he has been arrested during the pendency of the same.

Permission is accorded.

Heard learned counsel for the petitioner no.1 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 447, 337, 307, 504 of the Indian Penal Code read with Section 27 of the Arms Act.



Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has antecedent of one case.

The informant alleges that petitioner no. 1 along with 10-15 unknown came at the shop of the informant and started hurling abuses and pelting stones. It is alleged that a fire was also shot by someone in the group which hit a passerby Ravi Kumar who fell down.

Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has been falsely implicated in the present case and Ravi Kumar has instituted Complaint Case No. 2461 of 2021 in the Court of learned Chief Judicial Magistrate, Chapra on 13.09.2021 wherein he has alleged that it was the sons of the present informant, namely, Tuntun Singh and Manoj Singh along with Prince Kumar and Shekhar Singh who were responsible for the said occurrence for which the present FIR came to be instituted. Learned counsel, thus, submits that the informant in order to save his son and grand-son falsely implicated the petitioner no. 1 in the present case.

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

Considering the submissions made by the learned counsel for the petitioner no. 1, the petitioner no. 1 above-



named, in the event of his 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) 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 U.T. No. 215 of 2021 arising out of Chapra Town P.S. Case No. 368 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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