

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1525 of 2022**

Arising Out of PS. Case No.-177 Year-2021 Thana- RAGHOPUR District- Vaishali

1. RAM PRASAD RAI Son of Late Nirshu Rai @ Nirsu Ray Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
2. Upendra Rai @ Bijal Rai S/o Late Nirshu Rai @ Nirsu Ray Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
3. Ram Shankar Rai Son of Ram Prasad Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
4. Bachchu Rai Son of Ram Prasad Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
5. Arun Rai Son of Chanarik Ray Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
6. Bhullu Ray Son of Chanarik Ray Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
7. Saroj Rai Son of Munarik Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
8. Manoj Rai Son of Munarik Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
9. Pintu Rai Son of Chandeshwar Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.
10. Chandan Rai @ Chandan Kumar Son of Chandeshwari Rai Resident of Village- Brahmpur, Police Station- Raghapur (Rustampur O.P.), District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sudish Kumar  
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      26-07-2022      It is submitted by learned counsel for the  
petitioners that during pendency of this application, petitioner  
nos. 1, 2, 5 and 7    have been arrested and, as such, he seeks



permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner nos. 1, 2, 5 and 7.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Raghapur P.S. Case no. 177/2021 instituted for the offence under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

As per allegation in the FIR, while the informant was going to visit a doctor, several accused persons including the petitioners have surrounded the informant and with an intention to kill, co-accused Pintu Rai opened fire upon him, which hit none. They have snatched RS. 25,000/- cash and gold chain from the informant.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. General and omnibus allegations have been levelled against them. Old land dispute is going on between the parties. Informant has not received any injury, so Section 307 IPC will not attract. Both parties are own agnates. No witnesses have supported the prosecution case except the interested witness.



Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 3, 4, 6, 8, 9 and 10 on bail. The petitioners no. 3, 4, 6, 8, 9 and 10 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Raghopur P.S. Case no. 177/2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Sushma/-

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