

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1471 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- GANGABRIDGE District- Vaishali

1. VIJENDRA RAI Son of Yogendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
2. Yogendra Rai Son of Late Sakaldev Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
3. Harendra Rai Son of Yogendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
4. Ganesh Rai @ Ganesh Kumar Son of Yogendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
5. Ram Bali Rai Son of Yogendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
6. Nitish Kumar Vijendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
7. Vinip Rai Son of Vijendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
8. Vikash Rai @ Vikash Rai Son of Vijendra Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.
9. Raushan Rai Son of Ram Bali Rai Resident of Village- Chhaukiya, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2022 After some arguments, learned counsel for the petitioners seek permission to withdraw this application against petitioner nos. 3 and 5.

Permission is accorded.

This application is dismissed as withdrawn against



petitioner nos. 1 and 3. By order dated 13.6.2022 application against petitioner no. 5 had already withdrawn.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by them apprehending their arrest in connection with Ganga Bridge P.S. Case no. 95 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code.

As per allegation in the FIR, while the informant was engaged in threshing wheat crops in front of his field, co-accused Vijendra Rai came there and started to abuse him, which matter was pacified by the co-villagers. On next day, against Vijendra Rai came to his door and started to abuse and assault him by means of sword on his head. When family members of the informant, came there to rescue the informant, they were beaten up by several accused persons including the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. General and omnibus allegations have been levelled against the petitioners. Specific allegation is against Vijendra Rai of giving sword blow. Except one injury sustained on skull by



Vinod Rai, all injuries of injured were found to be simple in nature.

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 petitioners no. 2, 4, 6, 7, 8 and 9 on bail. The petitioners no. 2, 4, 6, 7, 8 and 9 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 Ganga Bridge P.S. Case no. 95 of 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 Chief Judicial Magistrate, Vaishali At Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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