

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38739 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- DARIYAPUR District- Saran

1. ANIL RAI Son of Late Mahendra Rai Resident of village- Manika Chak, P.S.- Dariyapur, District- Saran At Chapra
2. Nagendra Rai Son of Late Mahendra Rai Resident of village- Manika Chak, P.S.- Dariyapur, District- Saran At Chapra
3. Mukesh Rai Son of Baleshwar Rai Resident of village- Manika Chak, P.S.- Dariyapur, District- Saran At Chapra
4. Raju Rai Son of Agala Rai Resident of village- Manika Chak, P.S.- Dariyapur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61957 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- DARIYAPUR District- Saran

1. AJAY RAI S/o Gulab Rai R/v- Manikachak, P.S.- Dariyapur, District- Saran at Chapra
2. SANJAY RAI S/o Kantu Rai R/v- Manikachak, P.S.- Dariyapur, District- Saran at Chapra
3. BABLU RAI @ BALLU RAI S/o Baleshwar Rai R/v- Manikachak, P.S.- Dariyapur, District- Saran at Chapra
4. SANDESH RAI S/o Kedar Rai R/v- Manikachak, P.S.- Dariyapur, District- Saran at Chapra
5. SIKANDAR KUMAR S/o Butan Rai R/v- Manikachak, P.S.- Dariyapur, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38739 of 2022)

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 61957 of 2022)

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.



CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-11-2022 **CRIMINAL MISCELLANEOUS No.38739 of 2022**

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 504, 506 and 34 of the Indian Penal Code & Section 27
of Arms Act.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that on 20.07.2021 at about 06:00 AM, Anil Rai armed
with gun came at his door and started abusing and firing which
hit his neighbour, one Kavita Kumari, thereafter it is alleged that
Baleshwar Rai assaulted informant with spade causing injury on
his nose and eye and thereafter Bablu Rai, Mukesh Rai, Sanjay
Rai, Nagendra Rai, Kapil, Raja Rai, Anil Rai and other named
accused in F.I.R., thereafter also assaulted the family members of
the informant.

Learned counsel for the petitioners submits that
petitioners have been falsely implicated in the present case, it is
next submitted that it has been specifically pleaded at para 17
that there is no injury report of Kavita Kumari on record
showing firearm injury, it is next submitted that the case was



registered on 21.07.2021 and the same was sent to the learned A.C.J.M on 29.07.2021 i.e. after a delay of 8 days which further creates doubt with regard to the manner in which the F.I.R has been instituted.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dariyapur P.S. Case No. 343 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 61957 of 2022

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code & Section 27 of Arms Act.



Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 20.07.2021 at about 06:00 AM, Anil Rai armed with gun came at his door and started abusing and firing which hit his neighbour, one Kavita Kumari, thereafter it is alleged that Baleshwar Rai assaulted informant with spade causing injury on his nose and eye and thereafter Bablu Rai, Mukesh Rai, Sanjay Rai, Nagendra Rai, Kapil, Raja Rai, Anil Rai and other named accused in F.I.R., thereafter also assaulted the family members of the informant.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that it has been specifically pleaded at para 17 that there is no injury report of Kavita Kumari on record showing firearm injury, it is next submitted that the case was registered on 21.07.2021 and the same was sent to the learned A.C.J.M on 29.07.2021 i.e. after a delay of 8 days which further creates doubt with regard to the manner in which the F.I.R has been instituted.

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

Considering the submissions made by the learned counsel



for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dariyapur P.S. Case No. 343 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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