

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10729 of 2023

Arising Out of PS. Case No.-134 Year-2021 Thana- DHAKA District- East Champaran

1. Sri Bhagwan Rai Son Of Sitaram Rai Resident Of Village- Bakarihari, P.S.- Dhaka, District- East Champaran
2. Vijay Rai Son Of Sitaram Rai Resident Of Village- Bakarihari, P.S.- Dhaka, District- East Champaran
3. Tunnu Rai @ Tunu Kumar Son Of Sri Bhagwan Rai Resident Of Village- Bakarihari, P.S.- Dhaka, District- East Champaran
4. Pintu Rai @ Pintu Kumar Son Of Sri Bhagwan Rai Resident Of Village- Bakarihari, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-05-2023 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 147, 148, 149, 341, 323, 447, 354(B), 325, 307, 376, 511, 379 and 504 of the Indian Penal Code later on Section 27 of the Arms Act is added.

As per the prosecution case, the petitioners along with other co-accused persons, by forming an unlawful assembly, assaulted the informant and her family members.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that both parties are agnates and there is land dispute between the parties. He submits that there is case and counter case between the parties and both sides have sustained injury, injury was found simple in nature, it is clear from the impugned order itself. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the nature of the injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Dhaka P.S. Case No.134 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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