

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11748 of 2023

Arising Out of PS. Case No.-115 Year-2000 Thana- RIVILGANJ District- Saran

1. SHRI BHAGWAN RAI SON OF LATE RAM LAKHAN RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
2. RAJESHWAR RAI @ DHOKA RAI @ GHAUKA RAI SON OF LATE RAM LAKHAN RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
3. ANIL RAI SON OF LATE RAM LAKHAN RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
4. RAJA RAM RAI @ RAJA RAI SON OF LATE MOTICHAND RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
5. SURENDRA RAI SON OF LATE AMBIKA RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
6. DHYANCHAND RAI @ SADHU RAI SON OF LATE AMBIKA RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA
7. MUNIB RAI SON OF SHRI BHAGWAN RAI R/V- BRAHMPUR, P.S.- BHAGWAN BAZAR, DIST- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.



As per the prosecution case, all the FIR named accused persons including these petitioners assaulted the father of the informant who died during the course of treatment.

Learned counsel for the petitioners submits that after investigation, Police submitted final form against these petitioners. After perusal of case diary Learned Magistrate took cognizance against only three accused who were chargesheeted by the police. Petitioners claim clean antecedent. However, during trial, a petitioner was filed by the prosecution under Section 319 Cr.P.C. for summoning accused persons, which was allowed by the learned Court below on 16.12.2021.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. 12 Saran at Chapra in connection with S. Tr. No. 601 of 2003 arising out of



Rivilganj P.S. Case No. 115 of 2000, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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