

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11078 of 2023

Arising Out of PS. Case No.-494 Year-2021 Thana- VAISHALI District- Vaishali

1. NARESH RAI @ RAM NARESH RAI S/O BHIKHARI RAI Resident of Village- Surhatha Dharmpur, P.O. and P.S.- Vaishali, District- Vaishali .
2. RAJDEO RAI S/O VRIKSHI RAY Resident of Village- Surhatha Dharmpur, P.O. and P.S.- Vaishali, District- Vaishali .
3. HIRAWAN RAI S/O DIP NARAYAN RAI Resident of Village- Surhatha Dharmpur, P.O. and P.S.- Vaishali, District- Vaishali .

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 380/307/452 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, all the FIR named accused persons including the petitioners came to the house of the informant and started pelting stones. They also assaulted the informant and her family members as a result of which 12 persons sustained injuries.



Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioners. Doctor has found the injuries to be simple in nature. Similarly situated co-accused has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide para 13 of the bail petition.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned 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 Chief Judicial Magistrate, Vaishali at Hajipur in Vaishali Belsar OP Police Station Case No. 494 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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