

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16854 of 2023

Arising Out of PS. Case No.-459 Year-2022 Thana- BIDUPUR District- Vaishali

1. Prakash Rai Son Of Lakhindra Rai R/O Village- Majhauri, P.S.- Bidupur, District- Vaishali
2. Vikash Rai Son Of Lakhindra Rai R/O Village- Majhauri, P.S.- Bidupur, District- Vaishali
3. Loha Rai Son Of Lakhindra Rai R/O Village- Majhauri, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Bidupur P.S. Case No. 459 of 2022 dated 23.08.2022 registered for the offence punishable under Sections 341, 323, 308, 379, 504 and 506/34 of the Indian Penal Code.

The learned counsel for the petitioners submits that from the prosecution case, it is obvious that petitioners have been implicated due to some dispute between the petitioners and the prosecution side over wages in respect of some works contract being discharged by the prosecution party, wherein, the



petitioners and his family members were rendering their services as labourers. The allegation against the petitioners is general and omnibus. In fact, no such occurrence has taken place. The petitioners have no criminal antecedent and the informant has sustained injuries by falling down, when scuffle took place between the parties regarding dispute over the said wages.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, clean antecedent of the petitioners and the nature of allegation, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 C.J.M., Vaishali at Hajipur in connection with Bidupur P.S. Case No. 459 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as



also the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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