

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18152 of 2023

Arising Out of PS. Case No.-165 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

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1. OM PRAKASH YADAV @ OM PRAKASH RAI Son of Ramdev Rai R/V-
Samanpur P.S- Kundwa Chainpur Dist- East Champaran
 2. Anil Kumar son of Ramdev Rai R/V- Samanpur P.S- Kundwa Chainpur
Dist- East Champaran
 3. Rahul Kumar son of lalbabu Rai R/V- Samanpur P.S- Kundwa Chainpur
Dist- East Champaran
 4. Yugul Rai Son of Late Ram Lagan Rai R/V- Samanpur P.S- Kundwa
Chainpur Dist- East Champaran
 5. Bishundayal Rai son of Late Ram lakhan Rai R/V- Samanpur P.S- Kundwa
Chainpur Dist- East Champaran
 6. Ram Prasad Rai son of Late Ram Lakhan Rai R/V- Samanpur P.S- Kundwa
Chainpur Dist- East Champaran
 7. Sunil Kumar Son of Ramdev Rai R/V- Samanpur P.S- Kundwa Chainpur
Dist- East Champaran
 8. Jangbir Rai @ Jagbir Rai Son of Yugul Rai R/V- Samanpur P.S- Kundwa
Chainpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-06-2023 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, 149,
323, 324, 325, 307, 427, 379, 504, 506 and 384 of the Indian
Penal Code.



Learned counsel for the petitioners submits that petitioner no. 2 has one criminal antecedent and rest of the petitioners are persons with clean antecedent. It is next submitted that initially the FIR was instituted under Section 307 of the Indian Penal Code read with other sections of the Indian Penal Code, it is further submitted that police after investigation submitted charge-sheet under Section 147, 148, 149, 323, 325, 427, 504 and 506 of the Indian Penal Code.

The learned counsel further submits that parties on intervention of well wishers have entered into a compromise as would be evident from Annexure-2 to the anticipatory bail application. It is thus submitted that since the parties have compromised the case, no useful purpose would be served by sending the petitioners to jail.

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 Kundwa Chainpur P.S. Case No. 165 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the genuineness of the compromise entered in between the petitioners and the informant. In the event, if the informant disputes the compromise then the present order granting anticipatory bail shall not be given effect to.

(Satyavrat Verma, J)

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