

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34895 of 2023

Arising Out of PS. Case No.-776 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. MUNNA RAI @ MUNNA PRASAD Son fo Kamal Ray Resident of Village - Dostiyan, P.S.- Lakhaura, District - East Champaran.
 2. Ram Bali Rai Son of Kamal Ray Resident of Village - Dostiyan, P.S.- Lakhaura, District - East Champaran.
 3. Sonu Kumar Son of Ram Bali Rai Resident of Village - Dostiyan, P.S.- Lakhaura, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 27-07-2023 At the outset, learned counsel for the petitioner seeks permission to withdraw the pre-arrest bail petition with respect to petitioner no. 1.

2. This bail petition is dismissed as withdrawn with respect to petitioner no. 1.

3. Heard learned counsels for the petitioner nos. 2, 3 and the State.

4. Petitioner nos. 2 and 3 apprehend their arrest in a



case registered for the offence punishable under sections 341, 342, 323, 354, 363, 379, 504/34 of the Indian Penal Code.

5. As per the FIR, petitioner no. 2 Ram Bali Rai is alleged to have assaulted the informant and her son. Petitioner no. 3 is alleged to have snatched bangle from the informant.

6. It is submitted that the petitioner nos. 2 and 3 are innocent and have falsely been implicated in the present case. As a matter of fact, prior to this case Lakhaura P.S. Case No. 776 of 2022 was lodged by the side of the petitioner for abduction of minor niece of the petitioner no. 1 against the son of the informant. When the informant came to know about this case, the present case was lodged only with a view to save their skin from that case. Petitioner no. 2 has got three criminal antecedents in which he is on bail, while petitioner no. 3 has got no criminal antecedent.

7. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner nos 2 and 3, 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 Chief Judicial Magistrate, Motihari in connection with Motihari Muffasil (Lakhaura) P.S. Case No.



775 of 2022, subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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