

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35923 of 2023**

Arising Out of PS. Case No.-905 Year-2022 Thana- MANER District- Patna

1. JUGAL RAI Son of Ragho Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
2. Rama Shankar Rai son of Nagendra Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
3. Uma Shankar son of Nagendra Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
4. Shiv Shankar Rai Son of Nagendra Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
5. Randhir Rai Son of Vasist Narayan Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
6. Ranjeet Rai Son of Vasist Narayan Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
7. Gauri Shankar Son of Yogendra Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
8. Akhilesh Rai Son of Vasist Narain Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
9. Raj Kumar Son of Uma Shankar Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna
10. Arbind Kumar son of Rama Shankar Rai Resident of Village- Goriya Asthan, Nilkanth Tola, Police Station- Maner, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                                   |
|------------------------|---|-----------------------------------|
| For the Petitioners    | : | Mr. Gopal Govind Mishra, Advocate |
| For the Opposite Party | : | Mr. Navin Kumar Pandey, A.P.P.    |

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

**3      21-07-2023**                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

**2.** The petitioners apprehend arrest in connection with  
Maner P.S. Case No. 905 of 2022 dated 10.12.2022, instituted



for the offence punishable under Sections 341, 323, 307, 379, 354, 504 and 506/34 of the Indian Penal Code.

3. This application has been withdrawn so far as it relates to petitioner No.1, namely, Jugal Rai and petitioner No. 5, namely Randhir Rai *vide* order dated 01.06.2023.

4. The case of prosecution, in short, is that on 08.12.2022, at 12 noon on account of altercation among children, petitioners entered the house of the informant and assaulted her, her husband and her nephew and threaten to kill them.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the F.I.R. was lodged against ten persons and the allegation against all the persons are general and omnibus in nature. There is no specific allegation against the petitioner and the parties are agnate and neighbour. It is further submitted that there is case and counter-case as the petitioner has also filed a case bearing Maner P.S. Case No. 898 of 2022. Further, it is submitted that as per the F.I.R. both the parties have received injury and the injuries are said to be simple in nature. Lastly, it has been submitted that they have no criminal antecedent.



6. Learned A.P.P. has opposed the prayer for bail of the petitioners.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest/surrender of the petitioners except petitioner No. 1, namely, Jugal Rai and petitioner No. 05, namely, Randhir Rai in connection with Maner P.S. Case No.905 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate – 1<sup>st</sup> Class, Danapur, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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