

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40114 of 2023

Arising Out of PS. Case No.-191 Year-2021 Thana- TARAIIYA District- Saran

1. KUNDAN RAI @ KUNDAN KUMAR RAI son of Shiv Nath Rai Village- Sareya Basant Ps- Taraiya Dist- Saran
2. Ramesh Rai son of Late Chandeshwar Rai Village- Sareya Basant Ps- Taraiya Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 504, 324, 307, 323, 379, 504/34 of the Indian Penal Code.

3. Allegations against the petitioners are that they abused and assaulted the informant and his brother. They also snatched golden chain of the informant and damaged all the household articles of the informant's house.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and



omnibus in nature. There is specific allegation against Shivnath Rai to assault the informant on his head by means of *farsa*. There is admitted land dispute between the parties. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 29.11.2022 passed in Cr. Misc. No. 42349 of 2022. Petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Taraiya P.S. Case No. 191 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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