

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52326 of 2023

Arising Out of PS. Case No.-33 Year-2001 Thana- MADHUBAN District- East Champaran

1. Arun Kumar @ Arun Kumar Singh, Son Of Satya Narayan Singh R/O Village- Punash, P.S.- Madhuban District- East Champaran
2. Bhola Rai, Son Of Sukal Rai R/O Village- Kothiya, P.S.- Madhuban, District- East Champaran
3. Lalbabu Rai @ Lalu Rai, Son Of Khakhan Rai R/O Village- Kothiya, P.S.- Madhuban, District- East Champaran
4. Suresh Rai, Son Of Rajdeo Rai R/O Village- Kothiya, P.S.- Madhuban, District- East Champaran
5. Dharmendra Rai, Son Of Mushar Rai R/O Village- Kothiya, P.S.- Madhuban, District- East Champaran
6. Sona Rai @ Sonalal Rai Son Of Mhakhani Rai R/O Village- Kothiya, P.S.- Madhuban, District- East Champaran
7. Bilash Rai Son Of Dhangar Rai R/O Village Pipra, P.S.- Madhuban District- East Champaran
8. Sadhu Rai @ Ranvir Rai Son Of Yadoll Rai Resident Of Village- Punash, P.S.- Madhuban District- East Champaran
9. Jailal Rai Son Of Ram Kisun Rai Resident Of Village- Punash, P.S.- Madhuban District- East Champaran
10. Kailash Rai Son Of Rambilash Rai Resident Of Village- Punash, P.S.- Madhuban District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard Mr. Md. Anis Akhtar, learned counsel

 appearing on behalf of the petitioners and Mr. Pranav Kumar,

 learned A.P.P. for the State.

2. The petitioners apprehend their arrest in



connection with Madhuban P.S. Case No. 33 of 2001, registered under Section 396, 147, 148, 149, 451, 452, 341, 379, 323, 326, 307 and 302 of the Indian Penal Code.

3. As per the allegation made in the F.I.R. while informant was sleeping, the accused persons named in the F.I.R., including the petitioners, had assaulted him with deadly weapons and committed loot of valuable articles.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in this case. The Police after investigation submitted Final Form in the present case and cognizance has already been taken against all the 21 F.I.R. named accused persons, including the petitioners. The petitioners have clean antecedent. In absence of any knowledge regarding lodging of F.I.R. the petitioners could not participated in the course of trial. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submitted petitioners have abstained from the court proceeding and did not appear before the trial Court on date fixed.



6. Having considered the rival submissions made on behalf of the parties and the material available on the record, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Madhuban P.S. Case No. 33 of 2001, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The petitioners are directed to be present on the date fixed by the trial Court, in case the petitioners fail to appear before the trial Court on any date fixed by the trial Court, the present order will loose its force.

(Purnendu Singh, J)

manish/mini

U		T	
---	--	---	--

