

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50684 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. NARESH RAI S/O Late Budhan Rai R/O Village- Bazidpur Meyari, P.S- Sarairanjan, Distt.- Samastipur.
2. Manit Rai @ Manit Kumar S/O Shatrudhan Rai R/O Village- Bazidpur Meyari, P.S- Sarairanjan, Distt.- Samastipur.
3. Umesh Rai @ Umesh Kumar Rai S/O Late Rajendra Rai R/O Village- Bazidpur Meyari, P.S- Sarairanjan, Distt.- Samastipur.
4. Bablu Rai S/O Shatrudhan Rai R/O Village- Bazidpur Meyari, P.S- Sarairanjan, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Sarairanjan P.S. Case No.111 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code. The petitioners have got n criminal antecedent.

3. As per the prosecution story, the allegedly Bablu Rai (petitioner no.4) assaulted the informant on his back by means of iron rod, however, no injury has been reported and the



allegation against other petitioners are that they have assaulted by fists and slaps.

4. Learned counsel for the petitioner submits that alleged occurrence took place on account of a land dispute, allegedly Bablu Rai assaulted the informant on his back by means of iron rod, however, no injury has been reported and the allegation against other petitioners are that they have assaulted by fists and slaps which are in the nature of omnibus allegation and not supported by any injury. Learned counsel submits that the fardbeyan was given on 10.04.2023, FIR has been registered on 16.04.2023 and the same was received in the court on 24.04.2023.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is stated that the alleged occurrence took place on account of a land dispute, allegedly Bablu Rai assaulted the informant on his back by means of iron rod, however, no injury has been reported and the allegation against other petitioners are that they have assaulted by fists and slaps which are in the nature of omnibus allegation and not supported by any injury, the fardbeyan was given on 10.04.2023, FIR has been registered



on 16.04.2023 and the same was received in the court on 24.04.2023, in the nature of the materials shown to this Court, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Samastipur in connection with Sarairanjan P.S. Case No. 111/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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