

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54573 of 2023

Arising Out of PS. Case No.-14 Year-2021 Thana- BHELDI District- Saran

1. SANT LAL RAI Son of Late Punit Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
2. Surendra Rai @ Surendra Prad Son of Samdeo Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
3. Manoj Kumar @ Manoj Rai Son of Harendra Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
4. Satendra Kumar @ Satyendra Rai Son of Harendra Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
5. Abhishek Rai Son of Ananat Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
6. Arbind Rai Son of Ananat Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran
7. Harendra Rai Son of Sagar Rai Resident of village - Takiya Tole, Chand Chowk, P.S. - Bheldi, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 23-08-2023 Heard Mr. Nalin Kumar, learned counsel appearing on behalf of the petitioners and Mr. Syed Mojibur Rahman, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bheldi P.S. Case No. 14 of 2021, dated 11.01.2021, registered under Sections 341, 323, 325, 307, 504/34 of the



Indian Penal Code.

3. The prosecution case, in brief, is that on 06.01.2021 around 12 hours when informant was keeping Khadar in his land, then co-accused Shambhu Rai, caused injury with Fasha on his head due to which he fell down. Petitioner no. 7, Harendra Rai took out Rs 10,500/- from his pocket. Petitioner no. 3, Manoj Kumar @ Manoj Rai snatched gold chain from his neck and all other accused-persons started abusing and assaulting him with Lathi, Danda at the instigation of co-accused Lalbabu Rai.

4. Learned counsel appearing on behalf of the petitioners submits that injuries caused to the informant are simple in nature and there is general and omnibus allegations against the petitioners. The petitioners have no criminal antecedent. Learned counsel further submits that co-accused namely Shambhu Rai, against whom there is direct allegation that he has caused injury with farsha on the head of the informant, has already been released on bail along with other co-accused namely Vinay Rai, vide order dated 08.05.2023, passed in Cr. Misc. No. 2269 of 2023. The petitioners have clean antecedents.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made by the parties as well as the fact that injuries received by the informant are simple in nature, there is general and omnibus allegation levelled against the petitioners, the petitioners have no criminal antecedent, 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) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Saran in connection with Bheldi P.S. Case No. 14 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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