

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53619 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- PATNA CITY CHOWK District- Patna

1. Raju Rai S/O Late Suresh Rai Resident Of Village- Kachighat, Madarsa Gali, P.S.- Chowk, Distt.- Patna.
2. Indal Rai @ Indar Rai S/O Late Suresh Rai Resident Of Village- Kachighat, Madarsa Gali, P.S.- Chowk, Distt.- Patna.
3. Rajendra Rai S/O Late Suresh Rai Resident Of Village- Kachighat, Madarsa Gali, P.S.- Chowk, Distt.- Patna.
4. Chotu Rai @ Dakua S/O Late Suresh Rai Resident Of Village- Kachighat, Madarsa Gali, P.S.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioners seek bail, apprehending their arrest, in connection with Chowk P.S. Case No. 246 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 504, 34/379 of the Indian Penal Code.

3. As per the FIR, it is alleged that on 12.05.2023,



when the informant was at his house, all the accused persons including the petitioners came and started abusing the informant and when the brother of the informant protested, all the accused persons started assaulting the informant and his family members by means of lathi, danda, iron rod and bricks, causing several injuries to them.

4. The learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. He further submits that there is case and counter-case and both sides have received injuries. The injuries received by informant's side have been found simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioners have no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt /



production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. S.D.J.M., Patna City, Patna, in connection with Chowk P.S. Case No. 246 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

(iii) In case, the petitioners repeat offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

9. The learned counsel for the petitioners are directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the



certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

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