

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60549 of 2023

Arising Out of PS. Case No.-444 Year-2021 Thana- MANER District- Patna

1. Dharam Nath Rai Son of Nand Kumar Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
2. Dharamdeo Rai Son of Nand Kumar Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
3. Jae Rai @ Jae Lal Rai @ Jai Pal Rai Son of Late Sahdeo Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
4. Bideshi Rai Son of Manjit Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
5. Brajesh Rai @ Ganesh Kumar Son of Bideshi Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
6. Pawan Rai @ Pawan Kumar Rai Son of Nepali Rai @ Nepal Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
7. Nirodh Rai @ Nirodh Kumar Rai Son of Pawan Rai @ Pawan Kumar Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna
8. Ram Surat Kumar Son of Pawan Rai @ Pawan Kumar Rai Resident of Village - Bhudhar Tola, Beapur, Police Station - Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate Mr. Shashank Shekhar Dubey, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Maner P.S. Case No.444 of 2021 instituted under Sections 147,
148, 149, 341, 323, 325, 307, 427, 379, 354 and 504 of the



Indian Penal Code.

3. There is specific allegation against co-accused Bittu Kumar that he had given iron rod blow on the head of the informant causing injury. The allegation against petitioner no.1, namely, Dharam Nath Rai is that he fired bullet, which resulted in commotion.

4. Learned counsel for the petitioners submits that petitioners are Gotiya of deceased Deewali Rai who was brutally murdered by the prosecution side on the date of occurrence for which Maner P.S. Case No.443 of 2021 has been lodged and to save themselves, the informant side has filed the present case against the petitioners. The co-accused Bittu Kumar, against whom there is specific allegation of assault on the informant, has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 26.07.2023 passed in Cr. Misc. No.2931 of 2023. The criminal antecedents of the petitioners are stated in para 3 of the application in which the petitioners are on bail. It is also submitted that some of the cases against the petitioners have been registered after the institution of the present case with ulterior motive.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No.444 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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