

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66390 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- RIVILGANJ District- Saran

1. KESHAW RAI @ KESHAW PD. RAI S/o- RAMJEE RAI Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
2. Pappu Rai @ Pappu Kumar son of Ramjee Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
3. Ravindra Rai @ Ravindra Yadav son of Ramayan Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
4. Tinku Rai @ Binayak Kumar son of Dashrath Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
5. Rakesh Rai son of Late Kanhaiya Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
6. Jitendra Rai @ Aman Kumar son of Dashrath Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
7. Deokumar Rai @ Deokumar son of Late Kanhaiya Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
8. Rahul Rai @ Rahul Kumar son of Bhim Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
9. Sujeet Rai @ Sujeet Kumar Rai son of Gautam Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
10. Mantu Rai @ Mantu Kumar son of Late Gopal Rai Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
11. Ashraf Ali son of Mansur Ansari Village- Tekniwas Ps- Revilganj Dist- Saran at Chapra
12. Ranjay Rai @ Prince Kumar Yadav son of Musafir Rai Village- Jhakhuwa Ps- Revilganj Dist- Saran at Chapra
13. Babalu Rai @ Babalu Yadav son of Musafir Rai Village- Jhakhuwa Ps- Revilganj Dist- Saran at Chapra
14. Awadhesh Rai @ Awadhesh Kumar Yadav son of Bisundeo Rai Village- Laxmipur Ps- Revilganj Dist- Saran at Chapra
15. Rakesh Rai @ Rakesh Kumar son of Bisundeo Rai Village- Laxmipur Ps- Revilganj Dist- Saran at Chapra
16. Ashok Rai son of Shankar Rai Village- Laxmipur Ps- Revilganj Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate.



For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Rakesh Kumar, learned counsel appearing on behalf of the petitioners and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Revilganj P.S. Case No. 284 of 2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 435, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., petitioners along with 42 named accused and nearly 200 unknown accused persons ransacked the shop of the informant, however, no document with respect to the ownership of the shop was produced by the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1 had purchased the shop from one Devendra Singh and had proceeded to take possession of the said shop which was restrained by the informant and for the said reason petitioners who are innocent have been implicated in a false case. Petitioners have clean antecedent.



5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation as well as the fact that there is case and counter case and as informed by the petitioner, shop still exists and no damage has been caused to the shop and a proceeding under Sections 144 and 145 Cr.P.C. is pending between the parties with respect to possession of the said shop, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the 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 Judicial Magistrate 1st Class, Saran at Chapra in connection with Revilganj P.S. Case No. 284 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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