

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61916 of 2022

Arising Out of PS. Case No.-493 Year-2021 Thana- VAISHALI District- Vaishali

1. Devendra Ray Son of Hirday Ray R/V- Sorhatha P.S- Vaishali (O.P Belsar)
Dist- Vaishali
2. Birendra Ray Son of Girja Ray R/V- Sorhatha P.S- Vaishali (O.P Belsar)
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Vaishali P.S. Case No. 493 of 2021 under
sections 147, 148, 149, 341, 323, 353, 307, 504, 506 and 427 of
the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant alleged
that one Birendra Ray was threatening the opposite party of his
village and damaging their house. On information, they went
there and saw that the people assembled in front of Birendra



Ray and Shailendra Rai were pelting stones and resorted to firing the 'Chowkidar' identified the accused persons, the petitioners being amongst them from the place of occurrence, empty cartridges were recovered/seized. Accordingly, the FIR.

Learned counsel for the petitioners submit that omnibus allegation is there against all the accused persons including them.

Further, submission is that a coordinate bench of this Court has extended the co-accused the relief of anticipatory bail vide Cr. Misc. No. 59936 of 2022 on 25.11.2022.

Let the same be kept on record.

Taking into account the nature of allegation which is omnibus, the similar placed co-accused have since been extended the privilege of anticipatory bail, this Court is also inclined to extend them the same relief of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 493 of



2021 subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Rajiv Roy, J)

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