

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72579 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- RAJEPUR District- East Champaran

1. RAMESH RAI @ RAMESH KUMAR Son of Chandeshwar Rai R/v- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran
2. PAWAN KUMAR Son of Vindeshwar Rai @ Bindeshwar Ray R/v- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran
3. SUJIT KUMAR Son of Vindeshwar Rai R/v- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran
4. ASHOK KUMAR @ ASHOK KUMAR RAI Son of Ramekbal Rai R/v- Tajpur Saraiya, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-02-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioner no.1, namely, Ramesh Rai @ Ramesh Kumar as he has already been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.1, namely, Ramesh Rai @ Ramesh Kumar is concerned.

Heard both sides.



The petitioners apprehend their arrest in connection with Rajepur P.S. Case No.125 of 2022, registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 30.06.2022 at about 06.30 a.m., when the informant was going to his field, in the way, all the FIR named accused persons including these petitioners variously armed stopped him. On the order of co-accused, Bindeshwar Rai, Ramesh Rai assaulted the informant by means of sword on his head causing cut injury. When the informant fell down on the ground, co-accused, Bindeshwar Rai and Chandeshwar Rai assaulted him with iron rod and petitioner, Ashok Rai snatched Rs.2000/- from the informant. Petitioners, Pawan Rai and Sujit Rai also assaulted the informant by means of lathi.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is case and counter case between the parties and both sides sustained injuries. It is submitted that the injuries sustained by the injured persons are



simple in nature, which is clear from the impugned order itself.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners, namely, Pawan Kumar, Sujit Kumar and Ashok Kumar @ Ashok Kumar Rai in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Rajepur P.S. Case No.125 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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