

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75315 of 2023

Arising Out of PS. Case No.-93 Year-2015 Thana- PATAHI District- East Champaran

1. YOGENDRA RAI @ YOGENDRA PRASAD YADAV SON OF RAM SHARAN RAY R/O VILLAGE- BOKANE KHURD, P.S.- PATAHI, DIST.- EAST CHAMPARAN, MOTIHARI
2. MUNNA RAI @ MUNNA PRASAD YADAV SON OF YOGENDRA RAI @ YOGENDRA PRASAD YADAV R/O VILLAGE- BOKANE KHURD, P.S.- PATAHI, DIST.- EAST CHAMPARAN, MOTIHARI
3. BALI RAI @ RAMBALI YADAV SON OF RAM SHARAN RAI R/O VILLAGE- BOKANE KHURD, P.S.- PATAHI, DIST.- EAST CHAMPARAN, MOTIHARI
4. RAJU RAI @ RAJU KUMAR SON OF JAGARNATH RAI @ MALIK RAI R/O VILLAGE- BOKANE KHURD, P.S.- PATAHI, DIST.- EAST CHAMPARAN, MOTIHARI
5. JAGARNATH RAI @ MALIK RAI SON OF MOSADI RAY R/O VILLAGE- BOKANE KHURD, P.S.- PATAHI, DIST.- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 325, 452, 380, 504, 506 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of the occurrence, while the informant was in his room, all



the F.I.R. named accused persons including these petitioners armed with weapons came and assaulted the informant due to which he sustained head injury and when one Sarita Kumar came to rescue him, petitioner No. 2 assaulted her with katta causing injury. Thereafter, it is alleged that all the accused persons took away box containing ornaments.

4. It is submitted on behalf of the petitioners that allegation against petitioner Nos. 1, 3, 4 and 5 is general and omnibus and no specific overt act is alleged against them. So far petitioner No. 2 is concerned, injury caused by him is simple in nature. Case and counter case.

5. Learned A.P.P. for the State opposes the bail application.

6. Considering the nature of allegation and simple nature of injury, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Patahi P. S. Case No. 93 of 2015, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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