

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74684 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- BIDUPUR District- Vaishali

1. Randhir Rai @ Randhir Kumar Rai Son Of Yugal Kishore Rai Resident Of Village - Shitalpur Kakarhata, P.S. - Bidupur, District - Vaishali
2. Mithlesh Rai Son Of Praduman Rai Resident Of Village - Shitalpur Kakarhata, P.S. - Bidupur, District - Vaishali
3. Sudish Rai @ Sudish Kumar Son Of Praduman Rai Resident Of Village - Shitalpur Kakarhata, P.S. - Bidupur, District - Vaishali
4. Sudhir Rai @ Sudhir Kumar Rai Son Of Praduman Rai Resident Of Village - Shitalpur Kakarhata, P.S. - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rupa Kumari, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, A.P.P.
For the Informant	:	Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with regard to the petitioner no.2 i.e. Mithlesh Rai.

3. Permission is accorded.

4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to the petitioner no.2.

5. Heard learned counsel for the petitioners and



learned Additional Public Prosecutor for the State.

6. The petitioners are apprehending their arrest in connection with Bidupur P.S Case No. 466 of 2023 dated 07.08.2023 registered for the offence punishable u/ss 341, 323, 324, 354, 308, 504, 379, 506 read with 34 of the Indian Penal Code.

7. As per the prosecution case, on 28.07.2023 at about 3 A.M. all the accused persons along with petitioners armed with *lathi*, *danda* and *hasua* entered the informant's house and attacked on the informant's husband causing injury to him. The petitioner no.1 ordered to kill the informant and the petitioner no.2 assaulted the informant on her head with *hasua* with intent to kill her causing cut injury on her head due to which she fell down on the ground. Thereafter, the petitioner no. 3 assaulted with *lathi* on the informant's chest and the petitioner no.4 tore her sari and blouse with bad intention.

8. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the specific allegation of assault on the head of the informant is against



the co-accused, Mithilesh Rai. The allegations against petitioner nos. 1, 3 and 4 are general and omnibus in nature. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

9. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

10. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 466 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

11. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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