

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29759 of 2024

Arising Out of PS. Case No.-906 Year-2023 Thana- MANER District- Patna

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1. Baiju Rai @ Baiju Singh Rane Son Of Late Ramayan Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 2. Bipin Kumar Son Of Baiju Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 3. Bikram Kumar Son Of Baiju Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 4. Chintu Kumar @ Sumit Kumar Son Of Late Aditya Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29810 of 2024

Arising Out of PS. Case No.-906 Year-2023 Thana- MANER District- Patna

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1. Rohit Kumar Son Of Ram Bachchan Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 2. Anil Rai @ Anil Kumar Son Of Late Loknath Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 3. Satyendra Rai @ Satyendra Kumar Son Of Late Loknath Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 4. Ram Bachchan Rai Son Of Late Ramsewak Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 5. Manish Kumar Son Of Suresh Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 6. Suresh Rai Son Of Late Sobhnath Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 7. Bablu Kumar @ Nishant Kumar Son Of Binod Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna
 8. Binod Rai Son Of Late Devnandan Rai Resident Of Village - Khaspur, P.S. - Maner, District - Patna

... .. Petitioner/s

Versus



The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29759 of 2024)

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 29810 of 2024)

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Maner P.S. Case No. 906 of 2023, registered on 26.12.2023 for the offences under Sections 147, 148, 149, 341, 323, 353, 307, 427, 186, 332, 333, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, police received information about quarrel taking place and brick batting resorted to between two groups in the backdrop of eve teasing of daughter of one Awadhesh Kumar, one of the co-accused. The allegation against the petitioners and other co-accused persons is that they assaulted the police party and damaged the government vehicle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



this case. Altogether 23 persons have been named in the FIR including the petitioners and there is general and omnibus allegation against all the petitioners. The specific allegation of assault is against co-accused Jaikumar Nirala. Moreover, the name of the petitioners came up in this on disclosure of co-accused Awadhesh Kumar. The true fact of the case is that scuffle took place between two groups as Manish Kumar outraged the modesty of daughter of Awadhesh Kumar for which Maner P.S. Case No. 907 of 2023 has been registered for the offences under Sections 341, 323, 354, 427, 504, 506/34 of the Indian Penal Code. Petitioners have no concern with co-accused Jaikumar Nirala. There is no direct and specific allegation against the petitioners. The only allegation against the the petitioners is that they were members of mob. The injuries of victim have been found simple. Petitioner Baiju Rai is having criminal antecedent of one case in which he is on bail, petitioner Bipin Kumar has got no criminal antecedent, petitioners Bikram Kumar and Chintu Kumar are having criminal antecedent of one case each in which they are on bail, petitioners Anil Rai, Ram Bachchan Rai, Manish Kumar and Suresh Rai are having criminal antecedent of one case each in which they are on bail and petitioners Rohit Kumar, Satyendra



Rai, Bablu Kumar and Binod Rai have got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that from the FIR itself it is apparent that the petitioners have brutally assaulted the informant side.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific, general and vague nature of allegation against the petitioners and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur, Patna/concerned court in connection with Maner P.S. Case No. 906 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present



on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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