

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32367 of 2024

Arising Out of PS. Case No.-357 Year-2022 Thana- DARIYAPUR District- Saran

1. Fatkan Rai @ Rajendra Rai @ Rajindar Rai son of Late Chaneshar Rai @ Chandeshwar Rai Resident of Village-Kochwara Ps- Dariyapur District Saran at Chapra
2. Saheb Ray @ Sahib Rai son of Tulsi Rai Resident of Village-Kochwara Ps- Dariyapur District Saran at Chapra
3. Ramjaipal Rai @ Manklal Rai @ Jaipal Rai @ Manik Lal Yadav son of Ram Naresh Rai Resident of Village-Kochwara Ps- Dariyapur District Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dariyapur P.S. Case No. 357 of 2022 dated 24.06.2022 registered for the offence/s punishable u/ss 341, 323, 307, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted the informant's son and grandson with wood on their head while they were



returning from tuition. When the informant's elder son came to rescue, all the accused persons also assaulted him with lathi, danda, rod and sword and thereafter on the exhortation of the petitioner no. 1, all the accused persons assaulted one Vikas Rai due to that he fell down causing injury.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. As per the injury report, all the injuries are stated to be simple in nature. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Saran at



Chapra in connection with Dariyapur P.S. Case No. 357 of 2022,
subject to conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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