

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36619 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- ADAPUR District- East Champaran

1. Kashim Rai Son of Late Arjullah Rai R/O Vill.- Auraiya, Ward no.6, P.S.- Adapur, Dist.- East Champaran
2. Raju Rai @ Raj Mohamad Son of Late Arjullah Rai R/O Vill.- Auraiya, Ward no.6, P.S.- Adapur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 341, 447, 323, 324, 307, 504(B), 379 and 504 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners are said to have indiscriminately assaulted the informant and her family members by means of various weapons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. There is admitted



land dispute between the parties. There is no specific overt act against the petitioners. The grievous injury sustained by Wakil Miya is alleged to have been inflicted by the co-accused Parvej Hawari and Walik Hawari. There is a case and counter-case between the parties. Petitioner no.1 has two criminal antecedent and petitioner no.2 has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Adapur P.S. Case No.376 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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