

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70217 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- JURAWANPUR District- Vaishali

1. Om Prakash Rai Son of Dhurkheli Rai R/o Village- Maharpur West, P.S.- Jurawanpur, District- Vaishali
2. Nitish Kumar S/o Ramshankar Rai R/o Village- Maharpur West, P.S.- Jurawanpur, District- Vaishali
3. Munna Rai @ Munan Kumar S/o Late Bhola Rai R/o Village- Maharpur West, P.S.- Jurawanpur, District- Vaishali
4. Gajendra Rai @ Gajendra Kumar S/o Virij Rai R/o Village- Maharpur West, P.S.- Jurawanpur, District- Vaishali
5. Sonu Kumar S/o Nawal Rai R/o Village- Maharpur West, P.S.- Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with Jurawanpur P.S. Case No. 88 of 2024, registered for the offences punishable under Sections 323, 324, 341, 379, 307, 34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that while the son of the informant was going to market on his motorcycle, in the meantime, on account of causing minor accident his son was apprehended by all the petitioners, who assaulted him by means of *lathi*, *danda* and bricks. It is



further alleged that when the son of the informant became unconscious, the petitioners took the motorcycle to his door and thereafter snatched golden locket worth Rs.20,000/- from his neck.

4. Learned Advocate for the petitioners contended that the FIR has been instituted against seven named accused persons including these petitioners. On the alleged date of occurrence, in fact, on account of rash and negligent driving of the son of the informant, one Vikram Kumar sustained some injury and as the petitioners have asked the son of the informant to extend expenses of medical treatment, some dispute has arisen resulting into lodging of the FIR. However, on account of the intervention of the well wishers, the dispute resolved and both the parties have decided not to proceed further. The allegation levelled in the FIR is omnibus in nature and the impugned order does not disclose as to whether the son of the informant sustained any grievous injury. The petitioners bear fair antecedent and they undertake before the Court that they will fully cooperate in the investigation and the proceeding of the court.

5. On the other hand, learned Advocate for the State opposed the bail application.



6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the factum of compromise between the parties, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 88 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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