

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83813 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- PIPRA District- East Champaran

1. Sribabu Rai @ Shribabu Prasad Yadav Son Of Late Ramsurat Rai R/O Village- Chakania, P.S.- Pipra, District- East Champaran At Motihari
2. Lakhindra Rai Son Of Late Ramsurat Rai R/O Village- Chakania, P.S.- Pipra, District- East Champaran At Motihari
3. Amit Rai Son Of Lalbabu Rai R/O Village- Chakania, P.S.- Pipra, District- East Champaran At Motihari
4. Gulshan Rai Son Of Rambabu Rai R/O Village- Chakania, P.S.- Pipra, District- East Champaran At Motihari
5. Lalbabu Rai @ Lal Babu Rai Son Of Late Ramsurat Rai R/O Village- Chakania, P.S.- Pipra, District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-01-2024 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. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Pipra P.S. Case No. 98 of 2023 dated 27.03.2023 registered for the offences punishable under Sections 147, 341, 342, 323, 324, 325, 354, 379 and 307 of the



Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons came to the house of the informant and started abusing. On the instigation of Sribabu Rai, they started outraging modesty of the female members of the informant. In the meantime, Lalbabu and Rambabu caught hold of the hand of the informant and Lakhindra Rai assaulted him with an iron rod causing head injury. When Devendra Rai came to rescue, then Sribabu Rai, Mulayam Singh, Amit Rai, Chandan Rai assaulted him causing injury on his neck, shoulder, face and ear. Gulshan Kumar cut the ear of Devendra Rai with knife. When Gandhi Rai came to rescue, they also assaulted him. When Umalal came to rescue, then Jayram Rai assaulted him with *lathi* on his leg, causing injury. When the informant's mother came to rescue, they outraged her modesty. Further, accused persons entered the informant's house and looted cash and other jewellerys.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has submitted that both the parties have sustained injuries. It is further submitted that injury No. 1 of Devendra



Ray is grievous in nature which is on non-vital part of the body and other injuries are simple in nature.

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

7. 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, Motihari, East Champaran in connection with Pipra P.S. Case No. 98 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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