

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26520 of 2020

Arising Out of PS. Case No.-202 Year-2019 Thana- MANER District- Patna

1. VIJAY RAI Son of Sri Mala Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
2. Mala Rai Son of Late Babulal Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
3. Mukesh Kumar @ Kalyani Son of Shyam Bihari Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
4. Mahesh Rai Son of Late Satyanarain Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
5. Bhiran Rai Son of Sipahi Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
6. Amarjeet Rai Son of Sumesh Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
7. Sharvan Rai Son of Umesh Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
8. Chandan Kumar Son of Vishwanth Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
9. Harendra Rai Son of Late Brijnandan Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
10. Vinod Rai Son of Ramvilash Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.
11. Tramlash Rai @ Vidhata Son of Khilari Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S. - Maner, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading "For



Orders" under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 307, 354, 427, 429, 504, 506, 435 of the Indian Penal Code.

Allegedly, while the informant was standing in his house, the FIR named accused including the petitioners, having armed with weapons came there and started firing with intention to kill the informant and his family. It is also alleged that one Akhilesh Rai has assaulted with sword upon the neck of the informant with intention to kill him and Ramavtar Rai and Binod Rai assaulted with lathi, hence family members of the informant sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is case and counter case between the parties. General and omnibus allegation has been made against the



petitioners. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shushri Nutan Kumari, learned Judicial Magistrate-Ist Class, Danapur, Patna in connection with Maner P.S. Case No. 202 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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