

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47223 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -ALOULI District- KHAGARIA

1. Gorelal Ray @ Gorelal Yadav, son of Jhari Ray
2. Arbind Ray, son of Jhari Ray
3. Nirala Ray, son of Jhari Ray, All are residents of Village- Raghunathpur,
P.S.- Sahebpur- Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Renuka Ratnakar (APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-01-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Alauli P.S. Case No. 64 of 2015 registered under Sections 147, 148, 149, 341, 323, 384, 365 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 17.03.2015 when the informant was looking the construction of Temple in Alauli, where his father is Pujari since 50 years, the petitioners along with five others came there armed with weapons and started to firing. In the meantime, accused, Ajay Mandal, also made firing

through his licensee gun asking the informant to give cash of Rs.1,00,000/- as ransom for construction of idol. At that time, Mantu Pandit, who was also engaged to make idol, was kidnapped by them.

Learned counsel for the petitioners submits that, in fact, there is land dispute between the informant and co-accused, Ajay Mandal and due to that reason the present false case has been lodged implicating the petitioners, who are the relative of Ajay Mandal. Mantu Pandit, who is said to be taken by the petitioners and others has stated in his statement under Section 164 Cr.P.C. that he was set free just after few hours. It is further submitted that similarly situated co-accused, Ajay Mandal, has already been granted privilege of anticipatory bail by a Bench this Court vide order dated 15.10.2015 passed in Criminal Misc. No. 31081 of 2015.

Considering the aforesaid submissions, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 64 of 2015,

subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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