

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26296 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

- =====
1. Domni Ray @ Domi Rai son of late Jamun Ray
 2. Madan Ray, son of late Indra Ray. Both residents of village – Lagma,
P.S. Ghataho O.P. (Sarairanjan), District Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners

and the learned A.P.P. for the State.

Petitioners seek bail in connection with

Sarai Ranjan (Ghatho) P.S. Case No. 264 of 2016

registered for the offence punishable under Sections

341, 323, 324, 307, 379, 435 and 504/34 of the Indian

Penal Code.

The prosecution case, as lodged by the

informant, is that the petitioners along with others

came near his house and assaulted the informant and

his family members and also took away some

ornaments and set the roof of his house on fire.

It is submitted by the learned counsel for

the petitioners that they are innocent, bear no criminal



history and there was dispute with regard to the public land, which is alleged to be encroached by the petitioners' side and there is a counter case, bearing Sarai Ranjan (Ghatho) P.S. Case No. 265 of 2016 lodged by the petitioners' side wherein altercation took place between both the parties and both the parties received injuries. He submits that allegation against petitioner no.1 is of assault by farsa, which hit his head, but the injury report indicates that the injuries are simple in nature. So far injury no.2 is concerned, the said injury is alleged to have been caused by petitioner no.2 and other accused persons by farsa blow and is not on the vital part of the body, which has been opined by the doctor to be grievous. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each



with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Samastipur in connection with Sarai Ranjan (Ghatho) P.S. Case No. 264 of 2016.

(Nilu Agrawal, J.)

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