

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10322 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- TAJPUR District- Samastipur

1. Chandan Kumar, Son of-Upendra Choudhary Resident of village-Darba, (Halai O.P.), District-Samastipur.
2. Ravi Ranjan @ Ravi Ranjan Kumar Son of- Ram Darshan Ray Resident of village-Darba, (Halai O.P.), District-Samastipur.
3. Manjay Rai Son of- Munsu Ray Resident of village-Darba, (Halai O.P.), District-Samastipur.
4. Manish Rai Son of- Munsu Ray Resident of village-Darba, (Halai O.P.), District-Samastipur.
5. Anil Rai Son of- Munsu Ray Resident of village-Darba, (Halai O.P.), District-Samastipur.
6. Manoj Kumar Rai @ Manoj Kumar Mandal Son of-Lekhu Rai Resident of village-Darba, (Halai O.P.), District-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Thakur
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-05-2019 Heard learned counsel for the petitioners, learned counsel appearing on behalf of informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Tajpur (Halai OP) P.S. Case no. 374 of 2018, registered under Sections 302, 307, 324, 324/34, 341, 379 and 504 of the Indian Penal Code.

The accusation is that 27 persons named in the



F.I.R., including the petitioners, came at the door of the informant and started to abuse him saying that you lodged the case on demanding the ransom. At that time, Sanjay Rai and Ram Darshan Rai caused injury through Garansa at the head of Mina Devi, mother of the informant. Thereafter, Chandan Kumar, Vijay Rai, Murari Rai and Sunil Rai caused injury at the head of Ramnarayan Rai, uncle of the informant. Raviranjana, Bipin Kumar and Ajay Rai caused injury through Garasa and iron rod at the head of Balo Rai, uncle of the informant, Anil Rai caused injury through Farsa to the Kari Rai. Manoj Kumar Rai, Nirbhay Rai and Raja Kumar caused injury to Amresh Rai, nephew of the informant. At that time, they also looted house hold articles.

Learned counsel for the petitioners submits that petitioners are not assailants of Mina Devi, mother of the informant, who is said to be died. Further submission is that while petitioner No.1 along with Vijay Rai, Murai Rai, Sunil Rai are said to be caused injury at the head of Ramnarayan Rai, uncle of the informant, but only one injury found on the person of Ramnaryan Rai, which is simple in nature. Further submission is that while petitioner No.2 and petitioner No.3 are said to be caused injury through Garansa at the head of Balo Rai, but no injury was found on the person of Balo Rai. Similarly, no injury was found on the person of Amresh Rai.



Further submission is that, in fact, petitioners and other named in the F.I.R. are pattidar of the informant at that time occurrence of Marpit took place in which Mina Devi sustained injury, due to that reasons whole family members have been implicated in this case. Similar situated co-accused Munshi Rai @ Munshi Lal Rai and four others have already been granted privilege of pre-arrest bail by a co-ordinate Bench of this Court on 26.02.2019 passed in Criminal Miscellaneous No. 11813 of 2019.

Having regard to the facts and circumstances of the case, 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 Addl. Chief Judicial Magistrate-I, Samastipur in connection with Tajpur (Halai O.P) P.S. Case No. 374 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

