

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48561 of 2019**

Arising Out of PS. Case No.-745 Year-2018 Thana- SONEPUR District- Saran

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1. AMARJEET RAY @ ABHIJEET RAY, aged about 35 years, Male, Son of Ram Naresh Ray, Resident of Village - Sabalpur, Hasti Tola, Naurasiya, P.S.- Sonepur, District - Saran
 2. Shanti Devi @ Kanti Devi, aged about 30 years, Female, Wife of Amarjeet Ray @ Abhijeet Ray, Resident of Village - Sabalpur, Hasti Tola, Naurasiya, P.S.- Sonepur, District – Saran ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Dr. Rajesh Kumar Singh, Adv.
For the Opposite Party : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Sonepur P.S. Case No. 745 of 2018 for the offences alleged under Sections 323, 325, 504, 506 and 34 of the Indian Penal Code.

Ram Naresh Rai, the informant has two sons and two daughters, all are married. His elder son, Amarjeet Ray (petitioner no. 1), use to reside separately and he (the informant) use to live with his younger son. Regarding partition of the property before the Panches the share of the sons and daughters has been decided. On 26.07.2018 the elder son, petitioner no. 1,



started making boundary wall on the plot, which informant protested. The elder son laid the informant on the ground and caused injury in which the informant sustained fracture injury of femur bone and waist. At that time, Shanti Devi, petitioner no. 2, also came and started abusing and assaulting the informant with bricks. The wife and younger son of the informant were also assaulted. In the meantime, the villagers rushed and matter was pacified and informant was rushed to Hospital from where he was referred to Patna Medical College and Hospital, Patna.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner no. 2, Shanti Devi @ Kanti Devi, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sonapur P.S. Case No. 745 of 2018 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

However, taking into consideration the nature of



allegation as made against petitioner no. 1, Amarjeet Ray @
Abhijeet Ray, his prayer for pre-arrest bail is rejected.

(Rajendra Kumar Mishra, J)

Shamshad/-

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