

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82546 of 2019

Arising Out of PS. Case No.-702 Year-2019 Thana- MADHAURAH District- Saran

1. BRIJ BIHARI RAY S/o Late Panchi Rai R/o village- Senduari, P.S.- Marhowrah, District- Saran
2. Ramesh Ray S/o Brij Bihari Ray R/o village- Senduari, P.S.- Marhowrah, District- Saran
3. Lal Babu Ray S/o Brij Bihari Ray R/o village- Senduari, P.S.- Marhowrah, District- Saran
4. Kalawati Devi W/o Ramesh Ray R/o village- Senduari, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sudama Kumar
For the State	:	Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-12-2019 After some arguments, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner nos. 1 and 2 in order to enable them to surrender before the court below and apply for regular bail.

Accordingly, the present petition qua the petitioner nos. 1 and 2 stands disposed of as not pressed, however, with liberty to the petitioners to file a regular bail petition by surrendering before the court below and in case, the petitioners surrender before the court below within four weeks from today, the learned court below shall consider the case of the said petitioners and



pass appropriate orders preferably on the same day of filing of the said regular bail petition.

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

This is an application for grant of anticipatory bail in connection with Marhowrah Case No. 702 of 2019, registered for the offence punishable under Sections 341, 323, 324, 325, 307, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the informant and his family members. As far as the petitioner nos. 1 and 2 are concerned, there is specific allegation of assaulting the injured persons by farsa.

The learned counsel for the petitioners submits that the petitioner nos. 3 and 4 are innocent and there is no specific allegation of any sort of overt act and the injuries sustained by the injured persons are simple in nature. The petitioners are stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner no. 3 and 4 above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on



anticipatory bail on furnishing bail bond of Rs. 10,000/-
(rupees ten thousand) each with two sureties of the like
amount each to the satisfaction of learned C.J.M. Chapra at
Saran in connection with Marhwrah P.S. Case No. 702 of
2019, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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