

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71311 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- LALGANJ District- Vaishali

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1. DUMMAR RAY @ DUMAR RAI Son of Jhumlal Ray
 2. Balindra Ray @ Balindra Rai Son of Dummar Ray
Both Resident of Village-Madhusudan Pakari, P.O-Manikpur Pakari, P.S-
Lalagag, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sri Krishna Ranjan
For the Opposite Party/s	:	Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 13-07-2020 Heard learned counsel appearing for petitioners as well as learned Additional Public Prosecutor appearing for State through video conferencing.

Petitioners apprehend their arrest in connection with Lalganj P.S. Case No.115 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 324, 376, 511, 379 of the IPC.

Petitioners and other FIR named accused are said to have entered into the house of the informant and petitioner no.1 gave *farsa* blow causing head injury to informant whereas petitioner no.2 is said to have assaulted to the brother of the informant by means of Hasua. According to prosecution case, the alleged occurrence took place at 03:00 AM on 22.03.2019.



Submission on behalf of the petitioners is that, the petitioner no.1 lodged Lalganj P.S. Case No.116 of 2019 against the informant and others and, as a matter of fact, the fardbeyan of petitioner no.1 was recorded on 22.03.2019 at Sadar Hospital, Hajipur for the occurrence of 21.03.2019. Learned counsel for the petitioners further submits that the prosecution party assaulted the petitioners and just after the alleged occurrence, the fardbeyan of petitioner no.1 was recorded but the informant of the present case lodged this case after four days of the occurrence.

The perusal of case diary goes to show that the informant got examined himself by doctor on 14.03.2019 that is much prior to the alleged occurrence. Moreover, only two injuries, that too, simple in nature are said to have been found on the person of the informant.

Considering the aforesaid facts as well as submissions of the parties, let petitioners, in the event of their arrest/surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) within two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur or his successor in connection



with Lalganj P.S. Case No.115 of 2019, subject to conditions as
laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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