

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76508 of 2019

Arising Out of PS. Case No.-221 Year-2019 Thana- TAJPUR District- Samastipur

1. RUNA DEVI Wife of Dinesh Ray Resident of Village-Waini Mali Tola, P.S.-Tajpur (Waini O.P.), District-Samastipur.
2. Niranjan Kumar Son of Dinesh Ray Resident of Village-Waini Mali Tola, P.S.-Tajpur (Waini O.P.), District-Samastipur.
3. Lal Babu Ray @ Lalu Ray Son of Dinesh Ray Resident of Village-Waini Mali Tola, P.S.-Tajpur (Waini O.P.), District-Samastipur.
4. Pankaj Kumar Son of Dinesh Ray Resident of Village-Waini Mali Tola, P.S.-Tajpur (Waini O.P.), District-Samastipur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Tajpur (Waini O.P.) P.S. Case No. 221 of 2019 registered under Sections 147, 148, 149, 302, 307, 323, 341, 379, 447, 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case, the informant and petitioners are the agnates and there is admitted land dispute between the parties and petitioners



have got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein though there are general and omnibus allegations to some extent in the first information report but as far as the assault caused on the deceased is concerned in the F.I.R. there are allegations that Lal Babu Ray @ Lalu Ray and Pankaj Kumar who are petitioner nos. 3 & 4 before this court had assaulted him on his chest and head which ultimately proved fatal, and the learned Sessions Judge has noticed the multiple injury found on his body, I am not inclined to grant privilege of anticipatory bail to petitioner nos. 3 & 4.

Prayer for anticipatory bail of petitioner nos. 3 & 4 is, thus, refused.

In case, petitioner nos. 3 & 4 surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered on it's own merit without being prejudiced by



the orders of this court.

So far as petitioner nos. 1 & 2 are concerned, they are named in the F.I.R. but then there are general and omnibus allegation against them, let in the event of their arrest/surrender before the court below within a period of four weeks, the above-named petitioner nos. 1 & 2 be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Samastipur, in connection with Tajpur (Waini O.P.) P.S. Case No. 221 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to



any police officer;

(iii) a condition that the person shall not leave
India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

