

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31711 of 2020

Arising Out of PS Case No.-22 Year-2020 Thana- AZIMABAD District- Bhojpur

1. Mukti Narayan Ray @ Mukti Narayan Singh, aged about 48 years, (Male),
Son of Late Jai Narayan Ray, aged about 48.
2. Priyesh Ray @ Priyesh Kumar, aged about 26 years.
3. Lallu Ray @ Deepak Kumar, aged about 22 years.
Both are son of Mukti Narayan Ray.
4. Badri Narayan Ray, Son of Sudama Rai, aged about 40 years.
5. Deep Narayan Ray, Son of Badri Narayan Ray, aged about 23 years.
6. Bipin Ray, Son of Kameshwar Ray, aged about 55 years.
7. Guddu Ray, Son of Late Uma Rai, aged about 30 years.
8. Ankit Ray, Son of Badri Narayan Ray, aged about 20 years.

All are resident of Village - Mehandaura, Police Station - Azimabad, District
- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate
For the State : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 09-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Awadhesh Kumar Pandey, learned counsel
for the petitioners and Mr. Umesh Lal Verma, learned Additional
Public Prosecutor (hereinafter referred to as the 'APP') for the
State.



3. The petitioners apprehend arrest in connection with Azimabad PS Case No. 22 of 2020 dated 20.07.2020, instituted under Sections 147, 148, 149, 323, 307, 504 and 506 of the Indian Penal Code and 27 of the Arms Act, 1959.

4. The allegation against the petitioners is that they had abused the informant and thereafter had gone home and had started firing from their door. It is further alleged that co-accused Santosh Ray came to the door of the informant, whose brother Pintu Choudhary was standing and fired on his hand. It has also been stated that there was hot talk between Pintu Choudhary and the accused persons which was the cause of the incident.

5. Learned counsel for the petitioners submitted that the allegations are totally false and frivolous and at best it is against co-accused Santosh Ray, not before this Court, who had fired on Pintu Choudhary hitting him on the hand. Learned counsel submitted that the entire family members have been implicated for oblique reasons and village politics. It was further submitted that the petitioners have no criminal antecedent.

6. Learned APP submitted that the allegation of firing is against all persons. However, he did not controvert that the specific allegation of firing is against co-accused Santosh Ray, injuring Pintu Choudhary in his hand.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in Azimabad PS Case No. 22 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners, and (iii) the petitioners shall cooperate in the case. Any violation of the terms and conditions of the bonds or failure to cooperate shall lead to cancellation of their bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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