

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38306 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- LALGANJ District- Vaishali

1. NIRANJAN KUMAR RAY @ NIRANJAN KUMAR @ NIRANJAN RAY S/o Late Pradeep Ray Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.
2. Aman Kumar S/o Ram Nath Ray Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.
3. Pawan Kumar S/o Niranjay Rai @ Niranjan Kumar Ray @ Niranjan Kumar Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.
4. Ran Nath Ray S/o Late Yogendra Ray Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.
5. Gautam Kumar Son of Ram Nath Ray Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.
6. Amit Kumar Son of Ram Nath Ray Resident of Village- Sarariya, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Adv.
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2021 At the out-set, the learned counsel for the petitioners submits that the petitioners no. 2,4 and 5 have been arrested during the pendency of the present petition, hence, the present petition is not being pressed qua the petitioners no. 2, 4 and 5. Accordingly, the present petition is dismissed as not pressed qua the petitioners no. 2,4 and 5.

The petitioners no. 1, 3 and 6 apprehend their arrest in connection with Lalganj P.S. Case No. 103 of 2020 for the



offence punishable under Sections 341, 323, 307, 324, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act.

The allegation is regarding the accused persons including the petitioners herein having arrived at the field of the informant and had indulged in cutting wheat crop, however, upon protest, they are alleged to have assaulted the informant with sword and sharp weapon, nonetheless, the main allegation of assault is upon petitioners no. 4 and 5.

The learned counsel for the petitioners No. 1, 3 and 6 submits that the said petitioners are innocent and have been falsely implicated in the present case. It is further submitted that as far as the petitioners no. 1 and 3 are concerned, they are having clean antecedent, however, the petitioner no. 6 is accused in one other case, but he is on bail in the said case. It is also submitted that a general and omnibus allegation has been levelled against the petitioners.

Per contra, the learned APP for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioners.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that a general and



omnibus allegation has been levelled against the petitioners no. 1, 3 and 6, I deem it fit and proper to admit the petitioners no. 1, 3 and 6 to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners no. 1, 3 and 6, namely Niranjan Kumar Ray @ Niranjan Kumar @ Niranjan Ray, Pawan Kumar and Amit Kumar, respectively, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV (I/C), Vaishali at Hajipur in connection with Lalganj P.S. Case No. 103 of 2020, subject to the conditions laid down under section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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