

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.464 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. MANTU @ RITIK KUMAR S/O UPENDRA ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.
2. RANJAN KUMAR S/O JAGDISH ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.
3. SANJAY ROY @ SANJAY KUMAR S/O SHIVNATH ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.
4. MONU ROY @ MONU KUMAR S/O RAJESH ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.
5. UPENDRA ROY S/O LATE TRILOKI ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.
6. SHIVNATH ROY S/O LATE BALDEO ROY RESIDENT OF VILLAGE-BANWARA, P.S.-BAIKUNTHPUR, DISTRICT-GOPALGANJ.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Advocate
For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-10-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 71 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 504,



506/34 of the I.P.C and Section 27 of the Arms Act.

According to prosecution case, on 10.03.2020 the informant was standing at her door and the petitioners along with the other accused persons armed with deadly weapons came at the door of the informant and surrounded the informant and her family members. They abused the informant and started hitting the informant and others by sharp cutting weapons.

Learned counsel for the petitioners submits that they are innocent and have committed no offence. He further submits that petitioners have been falsely implicated in the present case. It is further submitted that brother of petitioner no. 2 had filed Baikunthpur P.S. Case No. 67 of 2020 against the informant of the present case. He further submits that having more or less similar allegation co-accused, Umesh Rai, Pankaj Rai, Munna Rai and Lallan Rai have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.02.2021 passed in Cr. Misc. No. 33135 of 2020.

The learned Additional Public Prosecutor, however, opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their



arrest/ surrender within a period of six weeks from today, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in Baikunthpur P.S. Case No. 71 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

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