

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5504 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. MOTI RAY Son of Late Sukhdeo Ray Resident of Village- Jathua, Gardaniya Chowk, P.S.- Hajipur Nagar, District- Vaishali.
2. Bhikhari Ray Son of Moti Ray Resident of Village- Jathua, Gardaniya Chowk, P.S.- Hajipur Nagar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for offence punishable under sections 364, 365/34 of the Indian Penal Code.

As per the prosecution case, petitioner along with other accused persons abducted and committed murder of the husband of the informant due to land dispute.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is land dispute between the parties for which informant side had assaulted the petitioners and their family



members for which Hazipur Sadar Police Station Case No. 68 of 2021 has also been instituted by wife of the petitioner no. 1. Proceeding under section 144 Cr.P.C. had also been initiated against the parties. Present case has been lodged to pressurise the petitioners to hand over the land to the informant side. It is further submitted that there is delay of three months in lodging of the FIR and there is no plausible explanation of delay. There is no eye witness of the occurrence.

Learned counsel appearing for the State opposes the prayer for bail. There is specific allegation against the petitioners that they in league with other accused persons abducted and killed informant's husband because of land dispute.

In view of the nature and gravity of allegation, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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