

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22144 of 2022

Arising Out of PS. Case No.-247 Year-2021 Thana- AGIAON BAZAR District- Bhojpur

1. VIJAY KUMAR RAI @ VIJAY KUMAR RAY Son of Sanjay Kumar Ray Resident of Village - Telarh, P.S.- Agiaon Bazar, District - Bhojpur.
2. Sanjay Kumar Rai @ Bhantoli Ray Son of Baswan Ray Resident of Village - Telarh, P.S.- Agiaon Bazar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38400 of 2022

Arising Out of PS. Case No.-247 Year-2021 Thana- AGIAON BAZAR District- Bhojpur

SHANTI DEVI W/O SANJAY RAY @ BHANTOLI RAY Resident of Village- Telarh, P.S.- Agiaon, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 22144 of 2022)

For the Petitioner/s : Mr.Md. Nazir Ansari

For the Opposite Party/s : Mr.Jagdhar Prasad

(In CRIMINAL MISCELLANEOUS No. 38400 of 2022)

For the Petitioner/s : Mr.Md. Nazir Ansari

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this application against petitioner no. 1. Vijay Kumar Rai of Cri. Misc. No. 22144 of 2022.

Permission is accorded.

This application stands dismissed as withdrawn



against petitioner no. 1. Vijay Kumar Rai of Cri. Misc. No. 22144 of 2022.

However, if he surrenders and prays for regular bail, the same may be considered by the court below on its own merit.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Agiaon Bazar P.S. Case no. 247 of 2021 instituted for the offence under Sections 341, 448, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code along with 27 of Arms Act.

As per allegation in the FIR, while the son of the informant was returning from his coaching class, in the way accused Vijay Kumar and his family members surrounded and assaulted him. When informant, her daughter and her husband went to the house of accused persons to pacify the matter, they were also beaten up by them.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. No specific allegation is attributed against the petitioners. They have got no criminal antecedent. Neither the petitioner was arrested nor any incriminating article has been



recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Agiaon Bazar P.S. Case no. 247 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 8th Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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