

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40937 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- SARAI RANJAN District- Samastipur

BAIJNATH RAY SON OF LATE GANGA RAY RESIDENT OF VILLAGE -
BARUNA RASALPUR TOLE JAN MOHAMMADPUR P.S.-
SARAI RANJAN DIST. -SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachchidanand Choudhary, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP
Mr. Rabindra Kumar Priyadarshi, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-11-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, as a result of land dispute between the agnates, it is stated that on the orders given by this petitioner, the co-accused Aadarsh Kumar, Manish Kumar and Kundan Kumar resorted to firing as a result of which the informant and his granddaughter sustained gunshot injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case



because of land dispute between the parties. The manner of occurrence is other than what has been narrated in the F.I.R. Even accepting the prosecution case for the sake of argument, no overt act has been alleged against this petitioner who is said to be an order giver. The petitioner is in custody since 3.5.2022 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties, the allegation in the F.I.R., the submissions made, no overt act having been alleged against this petitioner who is in custody for more than 6 months and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sarairanjan P.S. Case no.104 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III, Samastipur.

(Partha Sarthy, J)

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