

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52172 of 2021

Arising Out of PS. Case No.-509 Year-2020 Thana- BIDUPUR District- Vaishali

1. ANIL RAY Son of Deonath Ray @ Hulla Ray Resident of Village- Jurawanpur Gopalpur, P.S.- Bidupur, District- Vaishali.
2. Krishna Ray @ Krishnamohan Ray Son of Deonath Ray @ Hulla Ray Resident of Village- Jurawanpur Gopalpur, P.S.- Bidupur, District- Vaishali.
3. Arvind Ray @ Arbind Ray S/o Arjun Ray Resident of Village- Jurawanpur Gopalpur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha
For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 28-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 3 has been arrested, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this criminal miscellaneous petition with respect to petitioner no. 3.



Permission is accorded and **this petition is dismissed as withdrawn with respect to petitioner no. 3.**

So far as petitioner nos. 1 and 2 are concerned, they apprehend their arrest in connection with Bidupur P.S. Case No. 509 of 2020, registered for offence punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

The learned counsel for the petitioners has submitted that the specific allegation to assault the informant Rakesh Kumar Rai is on co-accused Kundan Kumar Rai and Chandan Kumar Rai and not against the petitioners. The allegation against the petitioners is general and omnibus. He has also submitted that there is land dispute between the parties.

Considering the above-mentioned facts and circumstances and also considering that against the petitioners there is general and omnibus allegation, **let petitioner nos. 1 and 2**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 509 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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