

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55715 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- AURAI District- Muzaffarpur

1. MUKESH RAY Son of Yogendra Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.
2. Nand Kishore Ray @ Nandu Ray Son of Yogendra Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.
3. Subodh Ray Son of Yogendra Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.
4. Vinod Ray Son of Yogendra Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.
5. Manoj Ray Son of Yogendra Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.
6. Ganesh Ray S/O Baidyanath Ray Resident of Village - Abhimanpur Chahunta, P.S. - Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 506,



354(B), 307, 379, 34 of the Indian Penal Code.

Allegedly, the informant and his mother with an intention to kill have been assaulted by the FIR named accused persons including the petitioners by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to prior enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries, which are simple in nature. There is a previous enmity between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering that there is a case and counter case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Aurai P.S. Case No.186 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, learned court below is directed to verify the criminal antecedent of the petitioners before accepting the bail bonds. In case, it is found that there is antecedent against any of the petitioner(s), his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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