

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59100 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- DALSINGHSARAI District- Samastipur

1. RAMCHHARI RAY Son of Upendra Ray Resident of Village - Makdumpur, P.S.- Dalsinghsarai, District - Samastipur.
2. Kundan Ray @ Kundan Kumar Son of Upendra Ray Resident of Village - Makdumpur, P.S.- Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302, 307, 323, 324, 341, 379, 504/34 and of the Indian Penal Code.

As per the prosecution case, all the accused persons are alleged to have assaulted the father of the informant as also his brother and subsequently, the father of the informant is stated to have died.

Learned counsel appearing for the petitioners submits that so far petitioner No.1 is concerned, he is only alleged to have exhorted other accused persons to assault. No specific



allegation of assault has been made against petitioner No.1. Petitioner No.2 is alleged to have assaulted the father of the informant with spade. Petitioners are in custody since 06.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, let the petitioner No.1, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I Dalsinghsarai, Samastipur in connection with Dalsinghsarai PS case No. 129/2020.

So far petitioner No.2, Kundan Ray @ Kundan Kumar, is concerned, there is specific and direct allegation against him that he assaulted the father of informant with spade.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner No.2 on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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