

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59607 of 2021

Arising Out of PS. Case No.-305 Year-2021 Thana- MANER District- Patna

RAMJEET RAY @ ARYAN RAJ, (Male), aged about 30 years, Son of Sri Laxman Ray @ Laxman Prasad, Resident of Village - Gyaspur, P.S.- Maner, Distt.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Srivastava, Advocate
For the Opposite Party : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned counsel for the State through Virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Maner P.S. Case No. 305 of 2021 for the offence registered under Sections 147, 341, 323, 324, 325, 326, 307, 109, 506 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that co-accused Manoj Kumar Rai, his son Amit Kumar and his younger brother, Ramjeet Rai (petitioner) and his companions attacked the informant and his family members when they were returning



after visiting their Mango Orchard. It is further alleged that exhorting other accused persons, co-accused Manoj Kumar handed over the pistol to co-accused Dhananjay who shot at the chest of the informant and bullet exited from the other side of his body. Co-accused Bali Ram Rai, Sanjeet Kumar and Amit had caught hold the informant and other accused persons also assaulted the informant's father-in-law, Kartik and Piyush by lathi and iron rod. The reason behind the occurrence is that informant's father-in-law was Ex-Mukhiya for about 27 years and he was actively canvassing in the election and co-accused Manoj Kumar who is the present Mukhiya was apprehensive of his defeat if the informant's father-in-law would remain alive, canvass and contest the election.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The specific allegation of assault is alleged against the co-accused, namely, Dhananjay. So far petitioner is concerned, general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is case and counter case between the parties.



Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Danapur, in connection with Maner P.S. Case No. 305 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

