

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6430 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- CHIRAIYA District- East Champaran

1. JALESHWAR RAY @ JALESHAR RAY @ JALESHWAR PRASAD YADAV Son of Late Kawal Ray R/v- Piparpati, P.S.- Chiraiya, District- East Champaran
2. BINDESHAR RAY Son of Late Kawal Ray R/v- Piparpati, P.S.- Chiraiya, District- East Champaran
3. RAMBABU RAY Son of Chandeshwar Ray R/v- Piparpati, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 354, 504 and 506 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners with an intent to kill attacked on the informant by means of various deadly weapons and when his aunt and cousin came to save him, the accused assaulted her.

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 ulterior motive. 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. There is a land dispute between the parties and in the alleged scuffle, both sides have sustained injuries, which are simple in nature as per Annexure-3. It is further submitted that there is case and counter-case between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, 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 Chiraiya P.S. Case No.195 of 2022, G.R. No.354 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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