

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7160 of 2023

Arising Out of PS. Case No.-90 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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1. MANOJ RAI @ MANOJ YADAV Son of Jamadar Rai Resident of Village - Saraiya Baduraha, P.S.- Dumariyaghat, District - East Champaran
 2. Shivchandra Rai Son of Late Hira Rai Resident of Village - Saraiya Baduraha, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341,323, 325, 307, 324,379, 504, 506 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons, armed with deadly weapons, came to the informant and demanded ransom of Watermelon. On objection, they all assaulted him. Petitioner no.1 is said to have assaulted him with bamboo whereas petitioner no.2 assaulted the informant with lathi and *fatta*.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Both sides have filed cases against each other. The injuries sustained by the victim are simple in nature, except injury no.4 which is attributed to co-accused Ramdeo Rai. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injuries attributed to the petitioners 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 lower Court where the case is



pending/successor Court in connection with Dumariyaghat
P.S. Case No.90 of 2021, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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