

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14210 of 2023

Arising Out of PS. Case No.-154 Year-2022 Thana- KUDHNI District- Muzaffarpur

1. Lalu Rai @ Lalu Ray Son Of Late Julum Ray @ Late Julum Rai R/O Dariyapur Kafan, Bakarpur, P.S.- Kurhani @ Kudhani (O.P. Turki), District- Muzaffarpur, Bihar
2. Amarjeet Rai @ Indrajit Rai @ Indrajeet Ray Son Of Late Julum Ray @ Late Julum Rai R/O Dariyapur Kafan, Bakarpur, P.S.- Kurhani @ Kudhani (O.P. Turki), District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for

the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 323, 307, 379,

354, 504, 506/34 of the Indian Penal Code and Section

27 of Arms Act.

The allegation against the petitioners and

others is that they assaulted and opened fire upon the



informant, to which he narrowly escaped. When the mother of informant, namely, Siya Devi came to his rescue, she was also assaulted by the petitioners and other co-accused persons.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is litigating terms and land dispute between the parties. There is inordinate delay of seven days in lodging the F.I.R. From perusal of the injury report, annexed as Annexure 5 of this petition, it is evident that injuries sustained by the informant and his mother are simple, as opined by the doctor. Moreover, the petitioners are languishing in judicial custody since 17.01.2023.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kudhani P.S. Case No. 154 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, West, Muzaffarpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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