

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22856 of 2023

Arising Out of PS. Case No.-2013 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

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1. LAXUMAN RAI @ LAKSHMAN RAY S/O- GOBNAEE RAY VILLAGE-
HARPUR PARSA PS- PARSA DIST- SARAN
 2. RAMAUDHYA RAI @ RAM AYODHYA RAY S/O- GOBNAEE RAY
VILLAGE- HARPUR PARSA PS- PARSA DIST- SARAN
 3. ANIL RAI @ ANIL RAY S/O- SHIVRATAN RAY VILLAGE- HARPUR
PARSA PS- PARSA DIST- SARAN
 4. PRABHU RAI ALIAS PRABHU RAY S/O- SHIVRATAN RAY VILLAGE-
HARPUR PARSA PS- PARSA DIST- SARAN

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-07-2023 At the outset, learned counsel for the petitioner No 2

(Laxuman zrai) seeks permission to withdraw the pre-arrest bail

petition.

This bail petition of petitioner No 2 is dismissed as

withdrawn.

Heard learned counsel for the petitioner Nos 1, 3 and

4 and the State.

Petitioners apprehend their arrest in a case registered



for the offence punishable under sections 341, 467, 468, 418 of the Indian Penal Code.

On the date and time of occurrence, when complainant was ploughing his field, meanwhile these petitioners armed with various weapons came there and assaulted the complainant and opened fire and also threatened to leave the said field otherwise they would kill him.

It is submitted on behalf of petitioner that due to land dispute this false and concocted case has been lodged. As per the complaint case, the incident took place on 01.07.2021 but complaint was lodged on 04.07.2022 after the delay of one year, which itself creates a doubt over the veracity of the entire prosecution. This dispute is purely of civil nature. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos 1, 3 and 4, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M Saran at Chapra in connection with Complaint case no 2013 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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