

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27936 of 2023

Arising Out of PS. Case No.-320 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. KAMDEV RAY S/O LATE UGO RAY R/O Village- Sahebpur, P.S- Sahebpur, Distt.- Begusarai.
 2. Shankar Ray S/O Jhagru Ray R/O Village- Sahebpur, P.S- Sahebpur, Distt.- Begusarai.
 3. Rajeev Ray S/O Chhatri Ray R/O Village- Sahebpur, P.S- Sahebpur, Distt.- Begusarai.
 4. Chhatri Ray S/O Late Jhagru Ray R/O Village- Raghunathpur, P.S- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar Advocated General Patna High Court Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-08-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

2. The petitioners seek bail in connection with Sahebpur Kamal P.S. Case No. 320 of 2022 registered for the offence under Sections 120-B, 147, 148, 149, 379, 427, 337, 420, 467, 468 and 471 of the Indian Penal Code.

3. The accused/petitioners are named in the F.I.R. and are in custody since 25.11.2022.

4. The allegation against the petitioners is to open indiscriminate firing upon informant alongwith 33 named and



20 unknown co-accused persons, where occurrence arises out of previous land disputes with further allegation that accused person including these petitioners took away cash of Rs. 25,000/- (Rupees Twenty-five Thousand only) from the elder brother of the informant and also snatched golden chain from him.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners falsely implicated with present case out of land dispute arises from a piece of land bearing Khasra No. 305, 308, 711, 712 and 713 situated in village Raghunathpur, where both parties appears to be agnate. It is submitted that allegation is appearing very much general and omnibus against these petitioners. It is also submitted that similarly situated co-accused, namely, Sachidanand has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 23817 of 2023 vide order dated 23.05.2023. While concluding the argument, it has been submitted that petitioner nos. 1, 3 and 4 are of clean antecedent, whereas petitioner no. 2 found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the



evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of nature of allegation which is appearing very much general and omnibus against these petitioners, arises out of land disputes coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 25.11.2022, accordingly, all above named four petitioners are directed to be released on bail in connection with Sahebpur Kamal P.S. Case No. 320 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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