

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30716 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- KOILWAR District- Bhojpur

1. SONADHARI RAY S/O KESHO RAY R/O Village- Durjan Chak, P.S- Koilwar, Distt.- Bhojpur (Ara).
2. Binod Ray S/O Kesho Ray R/O Village- Durjan Chak, P.S- Koilwar, Distt.- Bhojpur (Ara).
3. Satendra Ray S/O Mundrika Ray R/O Village- Durjan Chak, P.S- Koilwar, Distt.- Bhojpur (Ara).
4. Mangal Kumar @ Mangal Ray S/O Satendra Ray R/O Village- Durjan Chak, P.S- Koilwar, Distt.- Bhojpur (Ara).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bachan Jee Ojha, Advocate
For the Opposite Party/s	:	Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioners no.1 and 3, in order to enable them to surrender before the learned Court below, within a period of four weeks from today and apply for regular bail. Liberty so sought is granted.

The present petition qua the petitioners no.1 and 3 stands dismissed as not pressed.

Heard the learned counsel for the petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Koilwar P.S. Case No.68 of 2023, registered for



offences under Sections 147, 149, 341, 323, 325, 307, 379, 505 and 506 of the IPC.

The allegation is regarding an altercation having been taken place in between the parties on account of certain disputes, whereupon the petitioners no.1 and 3 are alleged to have assaulted the informant and the husband of the informant, namely, Tun Tun Rai with iron rod, resulting in him sustaining grievous injury on his scalp whereupon the petitioner no.2 is stated to have assaulted the informant and Jitendra Rai by lathi, while the petitioner no.4 had assaulted one Chandeshwar Rai by lathi, however, their injuries are not stated to be serious in nature.

The learned counsel for the petitioners no.2 and 4 has submitted that the petitioners no.2 and 4 are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners no.2 and 4 has further submitted that as far as the petitioners no.2 and 4 are concerned, the injuries, sustained by the injured persons, attributable to them have not been found to be grievous in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that the injuries attributable to the petitioners no.2 and 4, sustained by the injured persons, namely, Jitendra Rai and Chandeshwar Rai have not been found to be serious in nature, hence I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners no. 2 and 4 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur (Ara), in connection with Koilwar P.S. Case No.68 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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