

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38757 of 2023

Arising Out of PS. Case No.-92 Year-2020 Thana- RAJEPUR District- East Champaran

1. BASDEO RAY son of Late Hargen Roy Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran
2. Birendra Roy son of late Hargen Roy Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran
3. Sanjay Roy son of Hardeo Roy Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran
4. Kamlesh Roy @ Kamlesh Kumar son of Mojelal Roy Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran
5. Rameshwar Roy @ Rameshwar Roy son of Lt. Acchaelal Roy Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran
6. Sadhu Roy son of Late Dawar Roy @ Doaar Ray Village- Shirpur Koraiya Ps- Sugauli Dist- E. Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard Mr. Dhananjay Kumar No.2, learned counsel

for the petitioners and Mr. Sanjay Kumar Tiwary, learned APP

for the State.

2. Petitioners apprehends their arrest in connection
with Rajepur PS Case No. 92/2020 dated 24.08.2020 registered
for the offence punishable under Sections 147, 148, 149, 447,
341, 323, 324, 307, 506 and 504 of the IPC.

3. As per FIR, the dispute is regarding cutting of



bamboo trees and upon objection being made by the informant, he along with his family members were assaulted by the petitioners and other accused persons and one co-accused, namely, Naresh Rai gave iron rod blow on the head of the daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that both the parties are neighbours and there is a land dispute between them. A counter case has also been lodged by the side of petitioners *vide* Rajepur PS Case No. 93/2020 (Anneuxre-2). Learned counsel further submits that the allegation against the petitioners is general and omnibus in nature and there is specific allegation against co-accused, Naresh Rai who has already been granted anticipatory bail by a co-ordinate Bench of this Court *vide* Cr. Misc. No. 16469/2021 (Anneuxre-3).

5. Regards being had to the submissions made by the parties, taking into consideration the generality of the allegation which is general and omnibus in nature, there is also a counter version filed by the side of petitioners and the accused person, against whom there is a specific allegation, has been granted anticipatory bail by a Bench of this Court, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in



the event of arrest or surrender within four weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Rajepur PS Case No. 92/2020, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

