

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40120 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- BHELDI District- Saran

1. RANJAI RAI SON OF MAHESH RAI RESIDENT OF VILLAGE-
GANGOEE, PS -BHELDI, DIST -SARAN
2. AJAY RAI SON OF MAHESH RAI RESIDENT OF VILLAGE-
GANGOEE, PS -BHELDI, DIST -SARAN
3. VIJAY RAI SON OF MAHESH RAI RESIDENT OF VILLAGE-
GANGOEE, PS -BHELDI, DIST -SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43563 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- BHELDI District- Saran

1. MAHESH RAI S/O LT RAM ISHWAR RAI R/O Village- Gangoe, P.S-
Bhaldi, Distt.- Saran at Chapra.
2. Yugul Rai S/O Lt Ram Ishwar Rai R/O Village- Gangoe, P.S- Bhaldi,
Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40120 of 2023)

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

(In CRIMINAL MISCELLANEOUS No. 43563 of 2023)

For the Petitioner/s : Mr.Kalyan Shankar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 As both these bail applications have cropped up from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common



order.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 447, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code.

4. Allegedly, due to land dispute, all the accused persons including these petitioners came at the door of the informant and started abusing her. On objection, they assaulted the informant with lathi-danda and when her father-in-law tried to save her, he was also assaulted by them during which petitioner Vijay Rai caused injury on the head of the informant.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Both sides have sustained injuries. The injuries sustained by the informant side were found simple in nature, which is also mentioned in the case



diary. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes the prayer for bail.

7. Having regard to the facts and circumstances of the case, as the injuries sustained by the informant side were found simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bheldi P.S. Case No. 259 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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