

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40926 of 2022

Arising Out of PS. Case No.-247 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

RANJAY RAI S/o Satyendra Rai R/o village- Bhakura, P.S.- Ara Mufassil,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Ara Mufassil P.S. Case No. 247 of 2020, registered for the offence punishable under Sections 341, 323, 308, 504, 506, 377/34 and 302 of the Indian Penal Code.

The case of the prosecution, in brief, is that while the informant was sitting at his 'Darwaja', five named accused persons including the petitioner herein came there, variously armed with lathi, danda & rod. The co-accused person namely Ram Chandra Ray is alleged to have



struck the informant with a rod while the co-accused persons, namely, Lalji Ray, Amitabh Ray, Pankaj Ray and the petitioner herein had also assaulted the informant as a result of which he was seriously injured. After the informant had fallen down, once again all the five accused persons continued assaulting him, whereafter, he was taken to the hospital for treatment.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 29.1.2022. It is further submitted that though the incident had taken place on 6.8.2020, however, the FIR has been lodged only on 13.8.2020 and then the same has been belatedly sent to the learned court below only on 26.8.2020, for which there is no explanation whatsoever, hence, a false story has been cooked. It is further submitted that as far as the petitioner is concerned, a general and omnibus allegation has been levelled and there



is no specific allegation of him having engaged in any sort of overt act. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court, vide orders dated 23.12.2021 and 23.11.2022, passed in Criminal Miscellaneous No. 26155 of 2021 and Criminal Miscellaneous No. 42538 of 2022.

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 petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail, by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Bhojpur at Ara in connection with Ara Mufassil P.S. Case No. 247 of 2020.

(Mohit Kumar Shah, J)

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