

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40572 of 2022**

Arising Out of PS. Case No.-79 Year-2019 Thana- BIHRA District- Saharsa

1. Sadanand Ray @ Sadanand Roy Son Of Late Yaduni Ray R/O Village- Patori, Ward No.-04, P.S.- Bihra, District- Saharsa
2. Shekhar Ray @ Shekhar Roy Son Of Late Yaduni Ray R/O Village- Patori, Ward No.-04, P.S.- Bihra, District- Saharsa
3. Dayanand Ray @ Dayanand Roy Son Of Late Yaduni Ray R/O Village- Patori, Ward No.-04, P.S.- Bihra, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      04-01-2023                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 342, 323, 307, 379, 504, 302, 506/34 of the Indian Penal Code.

The prosecution case in nutshell is that petitioners along with other co-accused persons assaulted the informant's father with bricks, iron rod and stones. It is also alleged that petitioners and other co-



accused persons abducted the informant's father and tied him with pillar and bound him with napkin, so he could not cry. Co-accused Chandan Kumar Roy tortured the informant's father with open electric wire on the body of informant's father, due to which informant's father succumbed to injuries, during course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that petitioner, namely, Sadanand Ray, Shekhar Ray and Dayanand Ray are languishing in judicial custody since 09.09.2020, 08.09.2020 & 18.09.2020 respectively. It is further submitted that there is land dispute between the parties and there is no specific allegation of assaulting against the petitioner. The specific allegation of assaulting with open electric wire is against Co-accused Chandan Kumar. There is case and counter case



between the parties. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bihra P.S. Case No. 79 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IV, Saharsa.

**(Sunil Kumar Panwar, J)**

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