

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51485 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. ANAND LAL RAI @ NANDLAL SON OF LATE RAM PRAGASH RAY
RESIDENT OF VILLAGE- HAKIMABAD, JITWARPUR, P.S.-
MOFFUSSIL, DISTRICT- SAMASTIPUR
 2. HARINANDAN RAY @ NANDAN RAY SON OF LATE RAM
PRAGASH RAY RESIDENT OF VILLAGE- HAKIMABAD,
JITWARPUR, P.S.- MOFFUSSIL, DISTRICT- SAMASTIPUR
 3. GOLU KUMAR @ GOLU SON OF HARINANDAN RAY RESIDENT OF
VILLAGE- HAKIMABAD, JITWARPUR, P.S.- MOFFUSSIL, DISTRICT-
SAMASTIPUR
 4. INDRAMANI KUMAR S/O HARINANADAN RAY RESIDENT OF
VILLAGE- HAKIMABAD, JITWARPUR, P.S.- MOFFUSSIL, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Samastipur (Moffusil) P.S. Case No. 113 of 2022 instituted
under Sections 341, 323, 307, 379, 385, 354, 504, 506, 34 of
the Indian Penal Code.

As per the prosecution story, the allegation is that the
petitioners armed variously assaulted the informant side and in



the process, the allegation against the petitioner No. 1 is of using rod to hit the informant causing injury on his head. The further allegation is of outraging the modesty of the informant's mother as also demand of extortion.

Learned counsel for the petitioners submit that it is a counter blast to the earlier Samastipur Moffussil P.S. Case No. 111 of 2022 lodged on 7.3.2022 in which the informant side had snatched the mobile and cycle of the petitioner's son and when they went to inquire about the matter, the present case has been lodged against them on 8.3.2022 vide Samastipur Moffussil P.S. Case No. 113 of 2022. Further submission is that none of them have criminal antecedents and as per the observation of the learned Sessions Judge, the injuries have been found to be simple in nature. The last submission is that irrespective of the outcome of the present petition, in view of the allegation, the petitioners would like to give medical assistance of Rs. 20,000/- to the informant.

Learned counsel for the informant submits that although the injuries have been found to be simple in nature, the observation of the learned Sessions Judge also shows that the petitioners have brutally assaulted the informant side.

Taking into account the fact that it is a matter of case



and counter case, the petitioners do not have criminal antecedent, the injuries have been found to be simple in nature and ultimately they have to face the trial, this Court is inclined to grant them relief subject to payment of Rs. 20,000/-, as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Samastipur (Moffusil) P.S. Case No. 113 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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