

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57313 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- MUSRIGHRARI District- Samastipur

1. DASHAI RAY @ DASHAI RAI S/o Late Parmeshwari Ray @ Parmeshwar Ray R/o Village-Gohanda Rupauli Buzurg, Ward No.-1, P.S.-Mushrigharari, Dist.-Samastipur.
2. MAHESHWAR RAY S/o Late Jamun Ray R/o Village-Gohanda Rupauli Buzurg, Ward No.-1, P.S.-Mushrigharari, Dist.-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 302, 354, 504, 506 of the Indian Penal Code.

3. It is alleged that the petitioners in association with other co-accused persons are said to have assaulted the informant and his family members by means of deadly weapons, as a result of which the husband of the informant died during the course of treatment.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no



offence. There is general and omnibus allegation against the petitioners and there is no specific overt act against the petitioners. He further submits that the husband of the deceased died due to hemorrhage shock and not due to injury caused by the petitioner. It is further submitted that no independent witness has supported the prosecution's case. Petitioners have no criminal antecedent.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, 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 Musharigharari P.S. Case No. 186 of 2022, subject to the condition as down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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