

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57850 of 2022

Arising Out of PS. Case No.-264 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. AJAY RAI @ AJAY KUMAR RAI Son of Suresh Rai R/V- Dudhapura, P.s- Muffasil, Dist- Samastipur
 2. Suresh Rai Son of Ram Lagan Rai R/V- Dudhapura, P.s- Muffasil, Dist- Samastipur
 3. Ratnesh Rai Son of Ram Lagan Rai R/V- Dudhapura, P.s- Muffasil, Dist- Samastipur
 4. Dharamveer Rai @ Dharamveer Kumar Son of Suresh Rai R/V- Dudhapura, P.s- Muffasil, Dist- Samastipur
 5. Manjay Kumar @ Manjay Rai Son of Arbind Bhagat R/V- Adharpur, P.s- Muffasil, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Adv.
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 307, 504/34 IPC & 27 Arms Act.

As per prosecution case, the petitioners and other accused
persons attacked upon the informant and Ratnesh Rai and
Dharamveer Rai opened fire with country made pistol.

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



They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. There is general and omnibus allegation against the petitioners and no arms have been recovered from the conscious physical possession of the petitioners and three empty cartridge was handed over to the police by the informant. No person has sustained any injury. Petitioner nos.1 to 4 have three criminal antecedent and petitioner no.5 has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since no injury has been caused, 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 court below where the case is pending/Successor Court in connection with Samastipur Muffasil P.S. Case No.264 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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