

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58361 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- MAHNAR District- Vaishali

1. ARBIND RAY S/o- Late Chandradeep Ray R/V- Lawapur, P.S. - Mahanar, District - Vaishali at Hajipur.
2. Rajan Kumar S/o- Arbind Ray R/V- Lawapur, P.S. - Mahanar, District - Vaishali at Hajipur.
3. Rahul Kumar S/o- Arbind Ray R/V- Lawapur, P.S. - Mahanar, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar, Advocate
For the State	:	Ms.Anita Kumari, A.P.P.
For the Informant	:	Mr. Kuber Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Mahanar P.S. Case No. 119 of 2022 registered for the offences under Sections 323, 324, 341, 307, 379/34 and 302 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the informant and his family members when they were returning home after watching Ramleela programme in the night of



11.05.2022 at about 12:30 hours. Specific allegation has been levelled against the co-accused person, namely, Krishna Kant and Rahul of assaulting the deceased by sword and farsa resulting in him being inflicted with grievous injuries leading to his subsequent death.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are languishing in custody since 25.05.2022. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and in fact they have not been alleged to have engaged in any specific overt act qua the deceased, thus they may be granted the privilege of bail.

Per contra, the learned A.P.P. 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 petitioners and taking into account the materials



available on record, this Court finds that the petitioners have not been alleged to have assaulted the deceased, apart from the fact that they are having a clean antecedent and are languishing in custody since 25.05.2022, hence I deem it fit and proper to admit the petitioners to the privilege of bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahanar P.S. Case No. 119 of 2022.

(Mohit Kumar Shah, J)

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