

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61879 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- ANGARGHAT District- Samastipur

1. RAM SUDIN RAY Son of Ram Udgaar Ray R/o vill - Nanfara, ward no. 9, P.S. - Angharghat, Distt. - Samastipur
2. Chhotu Kumar @ Chhotu Ray Son of Ram Udgaar Ray R/o vill - Nanfara, ward no. 9, P.S. - Angharghat, Distt. - Samastipur
3. Vikash Kumar Son of Vijay Ray R/o vill - Nanfara, ward no. 9, P.S. - Angharghat, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-10-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Angharghat Police Station Case No. 57 of 2023, disclosing offences under Sections 148, 323, 379, 354(B), 325 307 of the Indian Penal Code.

3. The allegation against the petitioner, as per the First Information Report, is that while the informant was on his poultry farm, he got the information that co-accused persons, including petitioner No. 1, have entered into his house and ransacking the same, he arrived at his house on which the



petitioner nos. 2 and 3, along with other accused persons, assaulted him by means of iron rod, pistol etc., it has further been alleged that co-accused Ajay Rai assaulted the informant by means of butt of the pistol on his head and also assaulted by means of iron *khanti* due to which he sustained injury on his head and his hand got broken.

4. Learned counsel for the petitioners submits that the allegations, against the petitioners are general and omnibus in nature and there is specific allegation against the co-accused Ajay Ray who assaulted the informant by means of butt of the pistol on his head. From perusal of the impugned order, it would be evident that the informant has sustained simple injury. Both the parties are neighbours and the counter case has also been lodged by the wife of co-accused Vijay Kumar bearing Angharghat P.S. Case No. 58 of 2023 under Sections 147, 148, 342, 307, 323, 354(B) of the Indian Penal Code and Sections 3 and 4 of the Prohibition of Witch Practices Act, 1999.

5. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioners.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegations against the petitioners and the fact that the injury



caused to the informant is simple in nature, both the parties are neighbours and there is a counter case, accordingly, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, Ram Sudin Ray, Chhotu Kumar @ Chhotu Ray and Vikash Kumar , in the event of their arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate 1st Class, Dalsingsarai Samastipur in connection with Angarghat Police Station Case No. 57 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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