

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61028 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- SONBERSA District- Sitamarhi

1. VEECH KUMAR RAY @ VRIJ KUMAR RAY Son of Dev Chandra Ray R/o vill - Narkatiya Sinwahni, ward no. 12, P.S. - Sonbarsa, Distt. - Sitamarhi
2. Chunchun Ray @ Chunchun Kumar Son of Sonelal Ray R/o vill - Narkatiya Sinwahni, ward no. 12, P.S. - Sonbarsa, Distt. - Sitamarhi
3. Sonelal Ray Son of Samodhi Ray @ Late Samodhi Ray R/o vill - Narkatiya Sinwahni, ward no. 12, P.S. - Sonbarsa, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 / 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with other co-accused persons are said to have assaulted the son of the informant by means of hockey stick, lathi and danda while he had gone to see Mahaviri Jhanda.

4. It is submitted by learned counsel for the petitioners



that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of four days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application. Similarly situated co-accused person, namely, Veervansh Ray @ Birvans Ray @ Veerbansh Ray has been granted anticipatory bail by this Court vide order dated 07.12.2022 in Criminal Miscellaneous No. 48437 of 2022 as mentioned in Annexure-3 of the bail application.

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 Court below within a period of six weeks before the learned Court below within a period of six weeks from today, on furnishing bail bond or 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 Sonbarsa P.S. Case No. 89 of 2022, subject to the the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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