

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64487 of 2023

Arising Out of PS. Case No.-377 Year-2023 Thana- GAURICHAK District- Patna

1. Raj Nandan Ray @ Rajandan Ray @ Rajnandani Ray, Male, age 73 years, Son Of Ramanand Ray, Resident Of Village - Gaurichak, P.S. - Gaurichak, District – Patna.
2. Pintu Kumar, Male, age 30 years, Son Of Raj Nandan Ray, Resident Of Village - Gaurichak, P.S. - Gaurichak, District – Patna.
3. Golu Kumar, Male, aged about 20 years, Son Of Raj Nandan Ray, Resident Of Village - Gaurichak, P.S. - Gaurichak, District – Patna.
4. Pramod Kumar @ Pramod Kumar Sudhanshu, Male, age 41 years, Son Of Laldeo Ray, Resident Of Village - Awasthichak, P.S. - Gaurichak, District – Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Rudra Deo, Advocate
For the Opposite Party	:	Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Gaurichak P.S. Case No. 377 of 2023 dated 29.06.2023 registered for the offence punishable under Sections 147, 149, 341, 323, 427, 504, 506/34 of the I.P.C. and Section



27 of the Arms Act.

4. As per the prosecution case, when the informant was returning to home with the J.C.B., the petitioners alongwith other co-accused persons stopped the said J.C.B. and started abusing him. When he protested, other accused persons opened indiscriminate firing with their pistols. The petitioners broke the glass of the J.C.B. and threatened to kill him if he lodges any case.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the petitioners have no concern with the alleged occurrence. Nothing incriminating article has been recovered from the possession of the petitioners. There is no statutory compliance of Section 100 of Cr.P.C. It is submitted that in fact, the driver of J.C.B. dashed the motorcycle of the petitioners and on protest, this false case has been lodged by the informant in collusion with the local police against the petitioners. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances



of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City, Patna in connection with Gaurichak P.S. Case No. 377/2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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