

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62801 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- BACHHWARA District- Begusarai

1. Anil Kumar @ Anil Ray, Male, aged about 54 years, son of Devendra Ray,
 2. Binda Ray, Male, aged about 63 Yrs. Son of Raghunandan Ray,
 3. Bhushan Kumar @ Bhushan Rai, Male, aged about 34 Yrs. Son of Binda Ray,
 4. Mintu Ray @ Mantun Kumar, Male, aged about 25 Yrs., son of Ram Bilash Ray,
- All are resident of village Chiraiyatok, P.S. Bachhwara, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Hare Krishna Prasad, learned counsel

appearing on behalf of the petitioners and Mr. Anant Kumar 1,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bachhwara P.S. Case No. 127 of 2023, registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons had assaulted the informant and his family members by means of *lathi-danda*, iron rod, bricks and *farsa*. Petitioner no. 1 had assaulted one Pramod Roy



by means of *farsa*, due to which, he sustained head injury and had fell down on the ground in senseless condition.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to land dispute. There is case and counter case between the parties. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner no. 1, namely, Anil Kumar @ Anil Ray, I am not inclined to grant him pre-arrest bail, however, petitioner no. 1, namely, Ajit Kumar @ Ajeet Kumar, if so advised, may surrender before the District Court for grant of regular bail. The District Court is directed to consider the regular bail of the petitioner on the same day and pass necessary order in accordance with law on the basis of material collected in course of investigation.

7. So far as petitioners no. 2, 3 and 4, above named are concerned, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Bachhwara P.S. Case No. 127 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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