

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65489 of 2023

Arising Out of PS. Case No.-331 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

1. Santosh Kumar Ray Son Of Late Birbal Ray Resident of Village Kamhariya Ps Buxar Mufassil District Buxar
2. Punita Devi @ Poonam Devi Wife Of Santosh Kumar Ray @ Santosh Ray Resident of Village Kamhariya Ps Buxar Mufassil District Buxar
3. Aniket Ray @ Aniket Kumar @ Aniket Kumar Ray Son of Santosh Kumar Ray @ Santosh Ray Resident Of Village Kamhariya Ps Buxar Mufassil District Buxar
4. Abhishek Ray @ Abhishek Kumar Ray Son of Santosh Kumar Ray @ Santosh Ray Resident Of Village Kamhariya Ps Buxar Mufassil District Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-11-2023 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 Buxar (Mufassil) P.S Case No. 331 of 2023 dated 17.07.2023 registered for the offence punishable u/s 341, 323, 324, 307, 504, 506, 354A and 34 of the Indian Penal Code.



4. As per the prosecution case, all the accused persons started shouting and abusing at the door of the informant and assaulted with shoes and slippers. They also assaulted his daughters-in-law and grand son, who came for his rescue. Thereafter, the petitioner no.4 gave knife blow and injured his both daughters-in-law and grand son severely. Also, the petitioner no.3 gave life threatening to all.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that both sides came from same family and there is old land partition dispute between the parties. There is general and omnibus allegation against the petitioners no. 1 and 2 whereas the allegation against the petitioner no.3 of threatening and the allegation against the petitioner no.4 of knife blow are totally false but the real fact is that the petitioner nos. 3 and 4 are young aged boy and to ruin their future such allegation has been made in the F.I.R. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of 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/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Buxar (Mufassil) P.S. Case No. 331 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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