

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67987 of 2022

Arising Out of PS. Case No.-431 Year-2022 Thana- GOPALPUR District- Patna

Ajeet Kumar Son Of Parmanand Ray @ Bhondu Ray R/O Village- Ilahibag,
P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68015 of 2022

Arising Out of PS. Case No.-431 Year-2022 Thana- GOPALPUR District- Patna

Parmanand Ray @ Bhondu Ray S/O Saryug Ray R/O Village- Ilahibag Akal
Tola, P.S.- Gopalpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 67987 of 2022)

For the Petitioner/s : Mr.Anjani Parashar, Adv

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 68015 of 2022)

For the Petitioner/s : Mr.Anjani Parashar, Adv

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioners and
learned APP for the State.

Both the applications are being heard together and
common order is being passed in this case.

The petitioners apprehend their arrest in
connection with Gopalpur P.S. Case No. 431 of 2022 for the



offence registered under sections 341, 323, 325, 307, 504/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution story, the allegation is that the accused persons, who are agnates firstly abused and upon protest used brick and stone to injure them. They also resorted to indiscriminate firing. In that process informant's brother was injured and was sent to the PMCH for treatment. Accordingly, FIR has been lodged.

Learned counsel for the petitioner submits that the case of the petitioner is counterblast of Gopalpur P.S. Case No. 431 of 2022 wherein the allegation of assault attributed to the informant side. It is his next contention that the injuries of the Mithilesh Kumar have been simple in nature. Further considering that the informant and accused persons are neighbours without accepting the allegation would like to give medical assistance to Rs. 10,000/- to the informant.

Learned APP opposes the prayer for bail of the petitioners.

Considering the fact that there is allegation of assault as of open firing by the accused persons. Taking into account, the fact that the petitioner Parmanand Ray aged persons while the petitioner Ajit Kumar do not have criminal



antecedents, there is general and omnibus allegation as per the injuries report which has been annexed as Annexure-2, the same has been found to be simple in nature.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st class, Patna in connection with Gopalpur P.S. Case No. 431 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show their bona fide;

(ii) the petitioners shall co-operate in the investigation and make himself available to the police as and when required;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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