

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75239 of 2022

Arising Out of PS. Case No.-250 Year-2022 Thana- BAISI District- Purnia

1. AJAY RAY @ AJAY KUMAR RAY S/o Kallu Ray @ Kalchu Ray R/o village- Charaiya, Mahesh Bathana, P.S.- Baisi, Distt- Purnea.
2. Shraban Ray @ Shravan Ray S/o Kallu Ray @ Kalchu Ray R/o village- Charaiya, Mahesh Bathana, P.S.- Baisi, Distt- Purnea.
3. Nemilal Ray S/o Late Chethu Ray R/o village- Charaiya, Mahesh Bathana, P.S.- Baisi, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh
Mr. Dhananjay Singh

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Baisi Police Station Case No. 250 of 2022 dated 19.06.2022, disclosing offences under Sections 341/323/324/307/379/354-B/504/506/34 of the Indian Penal Code.

The prosecution story, on the basis of First Information Report, is that due to plucking of mango by son of the informant all the accused persons including the petitioner assaulted the informant, his wife and son of the informant by



means of *lathi*, *danda* and sword. It has further been alleged that the petitioner no. 1 gave a sword blow on the head of the informant's wife, who saved her head through the hands due to which she sustained cut injury on the hand.

Learned Counsel for the petitioners submits that altogether 14 persons are named in the First Information Report, who allegedly assaulted informant and his family members. He next submits that the petitioners have been implicated in this case due to the reason that the wife of the petitioner no. 1 had lodged a complaint case against the son of the informant, namely, Rahul Rai. Learned counsel also submits that both the parties are co-villagers and the occurrence had taken place on trivial issue due to plucking of mango.

The petitioners have got no criminal antecedents.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on available on record and nature of allegation and the fact that both the parties are co-villagers, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Baisi Police Station Case No. 250 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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