

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5053 of 2024

Arising Out of PS. Case No.-96 Year-2019 Thana- BHELDI District- Saran

1. Ranjit Ray Son of Vijay Ray R/o vill - Shikarpur, P.S. - Bheldi, Distt. - Saran At Chapra (Bihar)
2. Ajay Kumar @ Ajay Ray Son of Yogendra Rai R/o vill - Hakma, P.S. - Bheldi, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-02-2024 Heard Mr. Rakesh Kumar, learned Counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bheldi P.S. Case No. 96 of 2019 for the offence registered under sections 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code lodged on 11.04.2019 by the informant Abhay Kumar Yadav.

3. As per the FIR, the informant has alleged that as he was returning after witnessing a 'yagya', the accused armed variously stopped and after abusing, assaulted him. Allegation is against Bindeshwari Rai and Ajay Rai of using 'farsa' and



‘*dab*’ respectively on the head while this petitioner removed the gold chain and mobile. He was taken to Chapra Medical College for treatment whereafter he was referred to Patna. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that there is omnibus allegation against them and the delay occurred because they did not had any knowledge of the lodging of the FIR.

5. Learned APP for the State, on the other hand submits that specific allegation is against petitioner no. 2, Ajay Kumar @ Ajay Ray of causing injury on the head.

6. Taking into account the aforesaid fact, so far as petitioner no. 2, Ajay Kumar @ Ajay Ray is concerned, his anticipatory bail stands rejected.

7. Regarding petitioner no. 1, Ranjit Ray, though he approached the Court belatedly, in view of the fact that there is omnibus allegation against him, this Court is inclined to extend him privilege of anticipatory bail particularly when he do not have criminal antecedent.

8. Let the petitioner no. 1, Ranjit Ray in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on



furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Bheldi P.S. Case No. 96 of 2019 subject to condition 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 no. 1, Ranjit Ray, who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 1, Ranjit Ray 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 his bail bond by the Trial court itself;

(iii) the petitioner no. 1, Ranjit Ray shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 1, Ranjit Ray 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;

(v) the petitioner no. 1, Ranjit Ray shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.



9. Accordingly, the anticipatory bail application of petitioner no. 1, Ranjit Ray is allowed while anticipatory bail application of petitioner no. 2, Ajay Kumar @ Ajay Ray stands rejected.

(Rajiv Roy, J)

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