

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4796 of 2024

Arising Out of PS. Case No.-355 Year-2023 Thana- MANER District- Patna

1. BINOD RAI @ BINOD KUMAR SON OF RADHE SHYAM RAI R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA
2. RADHE SHYAM RAI SON OF LATE SHYAM RAI @ RAM SUNDAR RAI @ KARIMAN RAI R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA
3. DILIP RAI @ DILIP KUMAR SON OF RADHE SHYAM RAI R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA
4. SURENDRA RAI SON OF LATE TEGA RAI R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA
5. AWADHESH RAI @ AWADHESH KUMAR SON OF UMA SHANKAR RAI @ UMA RAI @ UMASHANKAR RAY R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA
6. PREMDHAR RAI SON OF LATE KASHI RAI R/O-BHAWANI TOLA, P.S.-MANER, DISTT.-PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Maner P.S. Case No. 355 of 2023 dated 15.05.2023 registered for the offence/s punishable u/ss 341, 323, 324, 307, 504 and 506 read with section 34 of the Indian Penal Code.



3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have come and started measuring the land of the informant. When the informant objected, all the accused persons assaulted him and his uncle with sword, lathi due to that they got severely injured. Thereafter they fled away firing.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to land dispute. There is general and omnibus allegation against the petitioners. The specific allegation of inflicting blow of sword is against the co-accused, Rakesh Ray. Nothing has been recovered from the conscious possession of the petitioners. As per the injury report of Wakil Rai and Shivtahal, the injuries are stated to be simple in nature. The petitioner no. 4 and 6 have no criminal antecedents and the petitioner no. 1-3 and 5 has one more criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on 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, Danapur in connection with Maner P.S. Case No. 355 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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