

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8068 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- JAYNAGAR District- Madhubani

1. Rajendra Ray Son Of Late Jageshwar Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
2. Santosh Ray @ Santosh Son Of Rajendra Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
3. Manik Ray Son Of Rajendra Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
4. Bebi Devi Daughter Of Rajendra Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
5. Guriya Devi @ Guriya Kumari Daughter Of Rajendra Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
6. Premikala Devi @ Paramkala Devi Wife Of Rajendra Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani
7. Anita Devi Wife Of Manoj Ray @ Manoj Kumar Ray Resident Of Village- Suriyahi, Ps- Jaynagar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah, Adv.
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioner nos. 2 and 3 i.e. Santosh Ray @ Santosh and Manik Ray, who have already been arrested.

Permission is accorded.



Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner nos. 2 and 3.

3. The petitioners are apprehending their arrest in a case in connection with Jaynagar P.S. Case No. 344 of 2023 dated 16.08.2023 registered for the offences punishable u/ss 448, 341, 323, 325, 308, 379, 504, 506, 436 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, when the informant and his mother were at home then the petitioners and the co-accused persons are alleged to have come to the door of the informant and started abusing them. After hearing the abuse, the informant and his mother came out of the house then the accused persons started assaulting them due to which, the informant fell unconscious. The petitioner Santosh Ray assaulted the informant's mother and snatched the gold chain. The petitioner Anita Devi assaulted the informant on his head with stick causing injury. Thereafter, the injured were taken to the hospital for treatment. It is further alleged that the accused persons set informant's house on fire.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The occurrence took place on 13.08.2023 but the F.I.R. was lodged on 16.08.2023 and there is a delay of two days without



any explanation. Nothing has been recovered from the possession of the petitioners. There is no specific allegation against the petitioners rather the allegation is only general and omnibus. It is further submit that the petitioners have no concern with the alleged offence. 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 bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioner nos. 1, 4, 5, 6 and 7, 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, Madhubani in connection with Jaynagar P.S. Case No. 344 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition :

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which



on two consecutive dates without reasonable
cause, the prosecution will be at liberty to
move for cancellation of his bail bond.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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