

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7390 of 2024

Arising Out of PS. Case No.-647 Year-2023 Thana- BARHARA District- Bhojpur

1. Sudama Ray, Son Of Late Muneshwar Ray, Resident Of Village- Kolhrampur @ Kolhanrampur, Ps- Barahara, Distt- Bhojpur
2. Bhola Ray, Son Of Late Sudarsan Ray, Resident Of Village- Kolhrampur @ Kolhanrampur, Ps- Barahara, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Malti Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Barhara P.S. Case No. 647/2023 lodged on 13.11.2023 under Sections 147, 149, 341, 323, 435, 307, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against 15 named accused persons alleging therein that all the accused persons have assaulted the son of the informant. On protest being made, they variously armed started assaulting the informant causing injury on his left hand.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Petitioner No. 1 is old aged person of 75 years whereas petitioner No.2 is aged about 50 years. From the contents of the FIR, it itself appears that the allegations against the petitioners are omnibus and general. In fact, the children of the family of the informant and accused were in a dispute in the course of playing but subsequently, the guardians of the family started involving in the same. For the same date and place of occurrence, there is a case and counter case between the parties. The petitioner's side has lodged the Barhara P.S. Case No. 648/2023 whereas the informant side has lodged the present case. Injury has been caused to both sides. Subsequently, due to the intervention of villagers and well-wishers of the village, the case has been compromised and a petition to that effect has been filed before the learned CJM, Bhojpur at Ara(as contained in Annexure P-4 to the petition). The petitioners are in custody since 14.11.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur (Ara) in connection with Barhara P.S. Case No. 647/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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