

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8012 of 2024

Arising Out of PS. Case No.-729 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Dhananjay Ray @ Dhananjay Kumar S/O Manoj Ray, Age-31, R/O Village-
Ward-02, Chandpur Dhamaun, P.S.-Patori, District-Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Patori P.S Case No. 729 of 2023 registered for the offences
punishable under Sections 341,323,307,504,506 of the
I.P.C, 25 (1-B)A of Arms Act and 37(c) of Bihar Prohibition
& Excise (Amendment) Act 2022.

3. Allegation against this petitioner is to have
abused and threatened the informant and his family
members on the point of pistol. It is also alleged that the
petitioner was in intoxicated condition at the time of
occurrence.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that all offences are bailable except under Sections 307 and 25(1-B)A of the Arms Act. It is submitted that no injury was caused to the informant and his family members. It is also submitted that provision of offences under Section 25 (1-B)A of the Arms Act does not attract against this petitioner as no firearm injury was caused by him. It is further submitted that there is land dispute in between the parties and nothing incriminating article was recovered from the possession of this petitioner, which may connect him with the present set of occurrence. It is also submitted that petitioner is in judicial custody since 26.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of learned Special Judge (Excise)-2, Samastipur in the connection with Patori P.S Case No. 729 of 2023.

7. However, the trial court is directed to conclude the proceeding of *framing of charge* according to law within a period of fifteen days from the date of receipt of this order.

(Ramesh Chand Malviya, J)

Mayank/
Brajesh/-

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