

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13525 of 2024

Arising Out of PS. Case No.-281 Year-2015 Thana- BHAGWANPUR District- Vaishali

1. RAM PRAVESH RAI Son of Devnath Ray Resident of Village-Bakhra Buzurag, Police Station-Bhagwanpur, District-Vaishali.
2. UDAY RAI Son of Denath Ray Resident of Village-Bakhra Buzurag, Police Station-Bhagwanpur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 342, 307, 302, 448, 447, 380 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant and his family members due to which they sustained injuries. Petitioner no.1 assaulted the informant and his brother brutally, whereas Petitioner no.2 assaulted the informant's mother on her head by means of iron rod as a result of which she died on spot.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is enmity between the parties due to previous land dispute. It is further submitted that the FSL report as well as the postmortem report of the deceased, enclosed in the case diary, has not supported the prosecution case, which creates serious doubt about the prosecution story. It is further submitted that the petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the postmortem report of the deceased has not supported the prosecution case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with



Bhagwanpur P.S. Case No. 281 of 2015, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

