

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16844 of 2024

Arising Out of PS. Case No.-681 Year-2023 Thana- TAJPUR District- Samastipur

1. Ranjit Ray S/o- Ram Prasidh Ray @ Parsilal Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
2. Rajnish Kumar Ray @ Rajnish Kumar son of Ranjit Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
3. Rajiv Kumar Ray @ Rajeev Ray son of Ranjit Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
4. Manjit Ray son of Ram Prasiddh Ray @ Parsilal Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
5. Abhishek Kumar @ Bhola son of Manjit Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
6. Manish Kumar son of Dinesh Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
7. Ajit Kumar son of Dinesh Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
8. Manju Devi wife of Ranjit Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
9. Manati Devi @ Malti Devi @ Manti Devi wife of Rajnish Kumar Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
10. Kabita Devi @ Kavita Devi wife of Dinesh Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
11. Dharmendra Kumar son of Fakira Ray Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur
12. Fakira Ray son of Late Jaglal Bhagat Village- Kasbe Aahar Ps- Tajpur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate Ms. Rani Shashi Bharti, Advocate Ms. Swati Kumari, Advocate Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Learned counsel for the petitioners is permitted to



make correction in paragraph no. 1 of the bail application during course of the day.

2. Heard Mr. Bijay Bhushan Prasad, learned counsel for the petitioners and Ms. Dr. Indihar Kumari, learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Tajpur P.S. Case No. 681 of 2023, F.I.R. dated 16.11.2023 for the offences punishable under Sections 147, 341, 323, 324, 307, 354, 379, 447, 427, 504 and 506 of the Indian Penal Code.

4. According to prosecution case, all the named accused persons armed with deadly weapon have brutally assaulted the informant and her family members.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent except petitioner nos. 6, 7 and 10 and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that there is case and counter case between the parties and both the parties are agnate. He further submits that no



person has received injury in the present occurrence.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that petitioner nos. 6, 7 and 10 carries one criminal antecedent other than the present one.

7. Considering the aforesaid facts and circumstances and the nature of allegation, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Class, Samastipur in connection with Tajpur P.S. Case No. 681 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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