

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15606 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- SONEPUR District- Saran

Mahesh Rai @ Mahesh Kumar Ray @ Maheh Ray @ Mahesh Kumar S/o-
Anandi Rai Village- Fakrabad Ps- Sonapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 15810 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- SONEPUR District- Saran

Ganesh Rai @ Ganesh Ray S/o Anandi Ray R/o Village- Fakarabad, P.S.-
Sonpur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 15606 of 2024)
For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Rita Verma
(In CRIMINAL MISCELLANEOUS No. 15810 of 2024)
For the Petitioner/s : Mr.Tejpratap Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in
connection with Sonapur P.S. Case No. 372 of 2023 registered
under sections 307, 341, 323, 324, 504 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.



As per allegation in the FIR, it is alleged that petitioner along with other co-accused persons came at the door of the brother of the informant and started abusing him, on objection, petitioner, namely, Mahesh Rai and petitioner, namely, Ganesh Rai started assaulting him with back portion of Hasua. When his brother tried to flee from there, this accused petitioner, namely, Mahesh Rai ordered to shoot him. On this, co-accused Naresh Rai opened fire upon informant's brother due to which he sustained injury and later on he died during the course of treatment.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to land dispute. No any specific allegation of firing against the petitioners upon the deceased rather co-accused Naresh Rai opened fire upon the informant's brother due to which he died. Only allegation against these petitioners is that they assaulted the informant's brother from the back portion of the *hasua*. It is further submitted that there is case and counter case between the parties and both parties have sustained injuries as alleged in separate occurrence. Moreover, they are languishing in judicial custody since 22.12.2023 and 22.11.2023 respectively.



The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sonapur P.S. Case No. 372 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra.

(Sunil Kumar Panwar, J)

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