

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14207 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Manoj Ray @ Manoj Kumar Ray Son of Bhola Ray Resident of Village- Babupur, P.S.- Warisnagar, Distt.-Samastipur
2. Pravin Kumar @ Pravin Kumar Ray Son of Raj Kumar Ray Resident of Village- Babupur, P.S.- Warisnagar, Distt.-Samastipur
3. Nitish Kumar Son of Manoj Ray Resident of Village- Babupur, P.S.- Warisnagar, Distt.-Samastipur
4. Gopal Ray Son of Ram Jatan Ray Resident of Village- Babupur, P.S.- Warisnagar, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 14901 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Raj Kumar Rai S/O Thakur Ray R/O Village- Babupur, P.S- Warisnagar, Distt.- Samastipur.
2. Arun Ray S/O Thakur Ray R/O Village- Babupur, P.S- Warisnagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14207 of 2024)

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 14901 of 2024)

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER



2 12-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Warisnagar P.S. Case No. 192 of 2023, registered on 04.06.2023 for the offences under Sections 143, 341, 323, 324, 307, 427, 379, 354, 504, 506 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons assaulted the informant, his wife, uncle and aunt causing injuries to them in the background of land dispute.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Altogether 13 persons have been made accused in this case including the petitioners. In the alleged occurrence the informant and others sustained injury on 30.05.2023 whereas they went to the hospital for their treatment on 02.06.2023 and the FIR was lodged on 04.06.2023 and there is no explanation for the delay. All the injured persons have received simple injuries as is apparent from the injury reports and injuries are mostly swelling, pain and bodyache. There is no specific allegation against the petitioners and there is only general and



omnibus allegation against all the accused persons except petitioner no. 4 of Cr. Misc. No. 14207 of 2024 and he is stated to be an order giver for cutting the tree of the informant. Petitioner no. 3 has got no criminal antecedent whereas petitioner nos. 1, 2 and 4 of Cr. Misc. No. 14207 of 2024 are having criminal antecedent of one case and they are on bail in that case. Petitioners of Cr. Misc. No. 14901 of 2024 are having one criminal antecedent and they are on bail in that case.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and non-specific allegation against the petitioners and considering the superficial nature of injury coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned JMFC cum Addl. Munsif, Samastipur/concerned court in connection with Warisnagar P.S. Case No. 192 of 2023, subject to the condition



as laid down under Section 438(2) of the Code of Criminal
Procedure and other following conditions :

- (i) One of the bailors will be a close
relative of the petitioners.
- (ii) The petitioners will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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