

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16256 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- BARHARIA District- Siwan

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Anu Ray @ Anurag Ray @ Annu Ray Son of Sri Mansha Ray @ Digvijay
Kumar Ray Resident of Village- Sawna, P.S. - Barharia, District - Siwan
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-03-2024 1. Learned counsel for the petitioner, at this stage,

seeks permission to make rectification in the description of the

petitioner in course of the day.
2. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 354B, 504 and 506/34 of the Indian Penal Code.
4. Learned counsel for the petitioner submits that
petitioner has antecedent of one case but then the said case also
has been instituted from the side of the informant. It is further
submitted that the informant alleges that while her grandson
Golu Kumar was returning from coaching then the accused
persons including the petitioner stopped him and started
assaulting by fists and slaps and when the informant tried to



rescue him the accused persons assaulted her by means of lathi and danda causing injury on head and also fractured her hand and when her daughter-in-law Sahnaz Khatoon came to their rescue the accused persons also assaulted her. It is next alleged that this petitioner also tore the clothes of her granddaughter Sabnam Khatoon.

5. Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegations are general and omnibus in nature. It is further submitted that the entire family members have been implicated in the present case by the informant. It is next submitted that there is dispute in between the parties regarding pathway. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not disclose the reason for the occurrence which further casts an aspersion on the case of the prosecution. It is further submitted that the allegation of tearing the clothes of Sabnam Khatoon has been alleged with a view to give a serious colour to the case when the allegation is ornamental in nature. It is next submitted that Cr.W.J.C. No. 101 of 2024 and Cr.W.J.C. No. 50 of 2024 has been filed by one of the accused Munna Rai @ Hemant Ray before this Court for a direction to the police to



hold a fair investigation in the present case as well as in the case in which the petitioner is also an accused i.e. Barhariya P.S. Case No. 344 of 2023.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barhariya P.S. Case No. 418 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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