

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24048 of 2024

Arising Out of PS. Case No.-760 Year-2023 Thana- MADHAURAH District- Saran

1. Bhola Kumar Ray Son of Late Dindayal Ray Resident of Village- Siswa, Police Station- Madhaurah (O.P. Gaura), Dist.- Saran
2. Murga Ray @ Sugandh Kumar @ Sugandh Kumar Ray Son of Late Dindayal Ray Resident of Village- Siswa, Police Station- Madhaurah (O.P. Gaura), Dist.- Saran
3. Molhar Ray @ Saurabh Kumar @ Mahlar Ray Son of Late Dindayal Ray Resident of Village- Siswa, Police Station- Madhaurah (O.P. Gaura), Dist.- Saran
4. Lila Kuwar @ Lila Devi Wife of Late Dindayal Ray Resident of Village- Siswa, Police Station- Madhaurah (O.P. Gaura), Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr.Zainul Abedin, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2024 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 341, 324, 307, 447, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the accused persons including the petitioners are said to have abused and assaulted the informant brutally with deadly weapon due to which he sustained injuries.

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 has ever taken 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 specific overt act against co-accused Bahira Rai @ Kabilesh Kumar Rai @ Kabilaksh Kumar Ray. There is admitted land dispute between the parties and Partition Suit No. 564 of 2022 is going on between them. There is case and counter case between the parties. It is further submitted that in course of investigation, none of the witnesses have supported the allegation of firing and loot of Rs. 1,50,000/- from the counter of the informant. The injury report of the informant has not supported the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the informant has sustained grievous injuries. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, as the injury report of the informant 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 Madhaurah P.S. Case No. 760 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

