

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27830 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- ARA MUFFASIL District- Bhojpur

1. Sri Niwash Kumar @ Lakhthu Ray Son of Shiv Nath Ray @ Sidhnath Ray Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
2. Shiv Nath Ray @ Sidhnath Ray Son of Late Darbari Ray Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
3. Hare Ram Ray @ Hare Ram Yadav Son of Late Arti Ray @ Arti Yadav Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
4. Krishna Ray @ Krishna Yadav Son of Late Arti Ray @ Arti Yadav Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
5. Dhamu Ray @ Sanjeet Kumar Ray @ Dhanu Ray Son of Krishna Ray @ Krishna Yadav Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur
6. Dhan Lal Ray @ Dhan Lal Kumar Son of Krishna Ray @ Krishna Yadav Resident of Village- Jamira, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 19-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
G.R. No. 6504 of 2023 arising out of Ara Muffasil P.S. Case No.
483 of 2023 dated 13.11.2023, instituted for the offence
punishable under Sections 147, 148, 149, 323, 341, 325, 307,
379, 427 of the Indian Penal Code and Section 27 of the Arms
Act.



3. The prosecution case, in short, is that all the accused persons were demanding *rangdari* from the informant. The family members of the informant were attacked and looted by several other accused persons along with the petitioners. Petitioner no. 5, namely, Dhamu Ray, Amit Ray and other accused persons came with country made pistol and started firing upon the family members of the informant. One cartridge hit on the head of informant's son. Petitioner no. 6, namely, Dhan Lal Ray along with other accused persons assaulted the informant with fists as a result of which he sustained injury. Petitioner nos. 3, namely, Hare Ram Ray and petitioner no. 4, namely, Krishna Ray destroyed household articles and looted cash of Rs. 2 lakhs and other ornaments. They also threatened the informant to kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is no specific allegation against the petitioners, rather, it is general and omnibus allegation. It is submitted that petitioners and the informant are agnates and there is admitted land dispute between the parties. It is further submitted that other co-accused persons, namely, Amit Ray @ Amit Kumar and Prem Sagar @ Prem Sagar Kumar have been



granted bail by this Court *vide* order dated 18.03.2024 passed in Criminal Miscellaneous No. 17790 of 2024. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with G.R. No. 6504 of 2023 arising out of Ara Muffasil P.S. Case No. 483 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIIth, Bhojpur, Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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