

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29227 of 2024**

Arising Out of PS. Case No.-264 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Harendra Yadav @ Harendra Rai Son Of Mansi Ray R/o Village -Chamanpura Tola Dera Dabar PS -Baikunthpur Distt -Gopalganj
2. Binay Kumar @ Vinay Kumar Yadav Son Of Mansi Ray R/o village -Chamanpura Tola Dera Dabar PS -Baikunthpur Distt -Gopalganj
3. Mansi Ray son of late Hawaldar Ray r/o Village -Chamanpura Tola Dera Dabar Ps -Baikunthpur Distt -Gopalganj
4. Chinta Devi wife of Harendra Yadav @ Harendra Rai r/o village -Chamanpura Tola Dera Dabar Ps -Baikunthpur Distt -Gopalganj
5. Pooja Devi wife of Vinod Ray r/o village -Chamanpura Tola Dera Dabar Ps -Baikunthpur Distt -Gopalganj
6. Putul Kumari @ Sumana Kumari daughter of Harendra Yadav @ Harendra Rai r/o village -Chamanpura Tola Dera Dabar Ps -Baikunthpur Distt -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Adv.  
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      31-07-2024                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with  
Baikunthpur PS Case No.264 of 2023 dated 25-07-2023,  
instituted under Sections 341,323,324,307,379,447,504 and  
506/34 of the IPC.

3. At the very outset, learned counsel for the  
petitioners seeks permission to correct the year of the PS Case



mentioned in paragraph No.1 of the bail petition, during course of the day.

4. Permission is accorded.

5. The prosecution case in short is that on 22-07-2023 petitioners variously armed began to dig a hole in front of the land of informant. On protest, petitioner Nos. 1 and 2 assaulted the informant on his head with *lathi* and iron rod, as a result of which, the informant fell down on the ground. On hearing *hulla*, the mother and wife of the informant came to save him then all the accused persons assaulted them and they also snatched the *mangalsutra* of his mother.

6. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that the petitioners are neighbours of the informant. Petitioner No.2, namely Binay Kumar lodged an FIR bearing Baikunthpur P.S. Case No. 263 of 2023 dated 25-07-2023 for the offence under Sections 341,323, 447, 324, 307, 504 & 354/34 of the IPC and Section 27 of the Arms Act against the informant and two others prior to the present case. There is land dispute between the parties. The injury sustained by the informant's side of the present case is simple in nature. Lastly, it is submitted that the petitioner Nos. 1 and 2 have one



criminal case against them whereas, petitioner Nos. 3 to 6 have no criminal antecedents.

7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on 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 CJM Gopalganj, in Baikunthpur PS Case No.264 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

9. The application stands allowed.

**(Khatim Reza, J)**

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