

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34556 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- GARKHA District- Saran

1. Avinash Ray @ Avinash Kumar Son of Harendra Ray Resident of Village - Bhuigawan, P.S.- Garkha, District - Saran.
2. Rahul Ray @ Rahul Kumar @ Rahul Kumar Ray Son of Harendra Ray Resident of Village - Bhuigawan, P.S.- Garkha, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP.
For the Informant	:	Mr. Ghanshyam Tiwary, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

6 25-10-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Garkha P.S. Case No.143 of 2023 instituted under Sections 341, 323, 324, 307, 506, 504 & 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, on the date of occurrence, F.I.R. named accused persons including the petitioners and four unknown persons armed with weapon came and surrounded the informant and his sons and started firing. Co-accused Harendra Roy assaulted by iron rod on the head of son of informant. Petitioner no.1 assaulted the informant by iron



rod which hit on his hand. Petitioner no.2 assaulted the son of informant by lathi. Other accused persons also assaulted the informant and his sons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that both the parties are agnates and there are some land dispute between the parties for which there is case and counter case between the parties. Learned counsel submits that both the parties got injury in the scuffle took place between them. The injury on the injured shows that the injury are bruise on the left hand and waist. He further submits that petitioners have two criminal antecedents, out of which one case is between the parties. He also submits that petitioners also sustained injury in the scuffle. Petitioners are young boys of aged about 20 & 21 years and they undertake to cooperate in the investigation and trial.

5. Learned counsel for the informant as well as learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering 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/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No.143 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

Ritik/-

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

