

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35629 of 2024

Arising Out of PS. Case No.-248 Year-2023 Thana- BARAHAT District- Banka

- 1. Sitaram Ray Son of Ratan Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka
- 2. Bajrangi Ray Son of Ratan Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka
- 3. Dipak Ray Son of Ratan Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka
- 4. Ratan Ray Son of Bhuneshwar Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka
- 5. Bebi Devi Wife of Ratan Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka
- 6. Putul Devi Wife of Sitaram Ray Resident of Village- Khiddi, P.S- Barahat, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending
their arrest in connection with Barahat P.S. Case No. 248 of
2023, registered on 29.10.2023 for the offences under Sections
341, 323, 325, 379, 354, 504/34 of the Indian Penal Code.

3. As per prosecution case, during a *panchayati*, the
petitioners abused and assaulted the informant, her husband and
her brother-in-law.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The informant and the petitioners are co-villagers and over a petty dispute, the occurrence took place. Learned counsel further submits that there is general and omnibus allegation against the petitioners and nothing specific has been alleged against any of the petitioners. From perusal of the FIR, no offence under section 354 of IPC has been made out against the petitioners. Allegation of snatching chain is super addition. Petitioners have no criminal antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners. Learned APP submits that the husband of the informant received a number of injuries on his head which includes fracture of left occipital bone apart from other fracture.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of dispute and vague nature of the allegation against the petitioners coupled with clean antecedent of the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds



of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned court in connection with Barahat P.S. Case No. 248 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

Balmukund/-

(Arun Kumar Jha, J)

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