

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37489 of 2024

Arising Out of PS. Case No.-316 Year-2017 Thana- BIDUPUR District- Vaishali

1. Upendra Ray @ Ovindra Ray S/o Khakhan Ray R/o Vill - Rajashan, P.S. - Bidupur, Distt.- Vaishali
2. Wakil Ray @ Wakil Ray S/o Rajendra Ray R/o Vill - Rajashan, P.S. - Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Bidupur P.S. Case No. 316 of 2017 dated 11.10.2017 registered under Sections 147 / 341 / 447 / 323 / 307 / 379 / 354 / 504 / 506 of the I.P.C.

3. As per the First Information Report the petitioners along with other accused persons named in the F.I.R. including 2-3 unknown persons assaulted the informant's son with "*lathi*" and "*danda*" causing fracture in the right knee. The accused persons also snatched a golden chain worth Rs. 18000 from him.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to village dispute.



He further submits that allegation against the petitioners is general and omnibus in nature and from perusal of the impugned order it would be evident that despite lapse of many years injury report has not been brought on record by the prosecution and investigation is still going on.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that prosecution has failed to bring on record the injury report and the allegation against the petitioners is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIVth, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 316 of 2017 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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