

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48248 of 2024

Arising Out of PS. Case No.-587 Year-2022 Thana- DARIYAPUR District- Saran

1. Pulish Ray, Son of Late Bulla Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra
2. Munna Ray, Son of Pulish Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra
3. Dipak Kumar, Son of Bachchu Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra
4. Bablu Kumar, Son of Bachchu Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra
5. Ranjan Kumar @ Rajan Kumar, Son of Lal Bahadur Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra
6. Sarswati Devi, wife of Lal Bahadur Ray, Resident of Village- Chakjalal PS- Dariyapur District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-08-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Dariyarpur P.S. Case no. 587 of 2022 registered under sections 307, 147, 148, 341, 323, 325, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons came variously armed. Munna Ray is said to have assaulted with a sword on the head of the informant



leading to injuries. It is further stated that Lal Bahadur Ray and Jitendra Ray assaulted with *farsa* and iron rod as a result of which Pappu, Surendra Ray and others sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The specific allegation is against Lal Bahadur Ray and Jitendra Ray. So far as the allegation on Munna Ray is concerned, referring to the injury report of the informant, it is submitted that the same has been found to be simple in nature. There is case and counter case between the parties and the petitioners have no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the material on record, the allegation of assault by Munna Ray (petitioner no.2) on the informant having been substantiated from the injury report brought on record, the Court is not inclined to enlarge the petitioner no.2 namely Munna Ray on anticipatory bail and the application is rejected.

7. The petitioner no.2 namely Munna Ray is directed to surrender in the learned trial Court within a period of four weeks. In case the petitioner no.2 surrenders within a period of



four weeks and prays for regular bail, the same shall be considered by the learned Court below without being prejudiced by this order of rejection.

8. Having heard learned counsel for the parties and taking into consideration the allegations against the remaining petitioners in the F.I.R., the specific allegations not being against them but on the three named accused as mentioned herein above, it is directed that the petitioner no.1 namely Pulish Ray, petitioner no.3 namely Dipak Kumar, petitioner no.4 namely Bablu Kumar, petitioner no.5 Ranjan Kumar @ Rajan Kumar and petitioner no.6 namely Sarswati Devi, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dariyarpur P.S. Case no. 587 of 2022 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saran at Chapra.

(Partha Sarthy, J)

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