

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57580 of 2024

Arising Out of PS. Case No.-87 Year-2020 Thana- RAHIKA District- Madhubani

1. Meena Devi Wife Of Ram Prasad Ray Village- Mahinathpur Ward No. 6, Ps- Rahika, Dist- Madhubani
2. Indrajeet Ray Son Of Ramakant Ray Village- Mahinathpur Ward No. 6, Ps- Rahika, Dist- Madhubani
3. Ajay Kumar Ray @ Ajay Kumar Son Of Jagdish Ray Village- Mahinathpur Ward No. 6, Ps- Rahika, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 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 Rahika P.S. Case No. 87 of 2020 registered on 19.07.2020 for the alleged offences under Sections 143, 341, 323, 506, 308 and 379 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons threatened the informant and tried to strangle him. They also assaulted the informant and his brother and snatched a gold chain from the brother of the informant.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. There is counter version and petitioner no.1 Meena Devi has also filed Rahika P.S. Case No. 88 of 2020 against the informant side for the same occurrence in which co-accused brother-in-law of petitioner no.1 received serious injuries in the assault by the informant side. The informant side also assaulted a number of persons from the side of the petitioners. The occurrence took place in the background of dispute over making submission of fraudulent details under the scheme of MANREGA and Indira Awas Yojana. The informant side was apprehensive that they would be caught by the authorities and they held it against the petitioners. Learned counsel further submits that injuries on the body of the informant has been found to be simple and lacerated wound over left forehead of size 1½” x 1¼” x 1” apart from swelling and bruises. Petitioner nos. 1 and 3 have no criminal antecedent whereas petitioner no.2 is having criminal antecedent of one case in which he is on bail.

5. Learned APP opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



case and counter case between the parties and further considering the simple nature of injuries of the victims and also considering the possibility of false accusation, 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani/ court concerned in connection with Rahika P.S. Case No. 87 of 2020, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the 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.

(Arun Kumar Jha, J)

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