

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55641 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- MAHUA District- Vaishali

1. Mintu Kumar S/o Shankar Ray R/o vill - Saidpur, P.S. - Mahua, Distt. - Vaishali (Bihar)
2. Ramesh Ray S/o Mewalal Ray @ Genalal Ray R/o vill - Saidpur, P.S. - Mahua, Distt. - Vaishali (Bihar)
3. Mahesh Ray S/o Shivjee Ray R/o vill - Saidpur, P.S. - Mahua, Distt. - Vaishali (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Mahua P.S. Case No. 306 of 2023 dated 16.05.2023 instituted for the offence punishable under Sections 147, 148, 341, 323, 324, 307, 379, 427, 302, 504, 506 the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence, all the named accused persons in the FIR, including the petitioners are said to have assaulted the informant with lathi, danda, iron rod and bricks, due to which he sustained injury. It is further alleged that when bhabhi and aunt of the



informant came to rescue him then all accused persons also assaulted them, on account of which, the aunt of the informant, namely Shakunti Devi sustained injury and became unconscious and during course of treatment, she died. The accused persons also committed loot-pat in the house of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that F.I.R. has been lodged against 18 named accused persons. The petitioners are named in the F.I.R. Both the sides are agnates and there is an old land dispute between them. Shakunti Devi, who is the aunt of the informant, died due to natural death. Learned counsel for the petitioners further submits that there is no specific allegation against the petitioners, rather the allegation against them are general and omnibus. Similarly situated co-accused persons have been granted bail vide order dated 22.02.2024 passed by this Court in Criminal Miscellaneous No. 9674 of 2024. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Mahua P.S. Case No. 306 of 2023, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Hajipur, Vaishali subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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