

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61063 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- GHORASAHAN District- East Champaran

- 1. Brijmohan Ray @ Brijmohan Kumar Son of Ramnath Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 2. Dhruplal Ray @ Dhuplal Ray Son of Nathuni Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 3. Shatrughan Ray @ Shatrughn Kumar Son of Nathuni Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 4. Ramnath Ray @ Ramnath Prasad Yadav Son of Nathuni Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 5. Sukhadi Ray Son of Nathuni Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 6. Lavkush Kumar Son of Sukhadi Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 7. Rajmati Devi Wife of Ramnath Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran
- 8. Rampati Devi Wife of Sukhadi Ray Resident of Village- Jhajhra, P.S.- Ghodasahan (Jitna), Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
Mr. Hemant Ray, Adv.
For the State : Mrs. Renu Kumari, APP
For the Informant : Mr. Ajay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioners no. 1, 2, and 3.



3. Permission is granted.

4. Accordingly, the instant application with regard to petitioners no. 1, 2, and 3 is dismissed as withdrawn.

5. Now, this application is being heard only with regard to petitioners no. 4 to 8.

6. Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the informant.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 323, 324, 308, 379, 504, 506, 354(B) of the Indian Penal Code.

8. As per the prosecution case, the allegation against the petitioners is that they assaulted the husband and other family members of the informant by means of axe, garasi and lathi.

9. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for



anticipatory bail.

11. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against petitioners no. 4 to 8, let the above named petitioners no. 4 to 8, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ghorasahan (Jitna) P.S. Case No.76 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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