

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65502 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Prince Ray @ Prince Kumar Ray, S/o Vinod Ray @ Vinod Rai, R/o Village-Simri, P.S- Simri, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Buxar (Industrial Area) P.S. Case No. 111 of 2024 registered for the offences punishable under Sections 307, 341, 323, 379, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, while the informant was returning to his home on his motorcycle, in the meanwhile, he saw that 7-8 youths armed with iron rod were engaged in altercation with a truck driver and few persons were gathered there. When the informant tried to pacify the matter, the petitioner along with others started abusing and assaulting him. It is specifically alleged that co-accused Ayush Singh assaulted the informant by



means of iron rod over his head and ear due to which he sustained serious injuries. The allegation against the petitioner is of stolen away Rs.40,000/- from the pocket of the informant.

4. Learned counsel for the petitioner contended that, in fact, it was a case of accident in which co-accused Ayush Singh and the petitioner, who were coming on a motorcycle collided with the informant due to which both were sustained injuries. In support of the afore-noted contention, attention of this Court has also been drawn to Annexure-3 to the bail application, which suggests that the petitioner has also sustained injuries. It is next contended that so far injuries sustained to the informant are concerned, though initially he was examined by the doctor(s) at Sadar Hospital, Buxar, where the injuries have been found to be simple in nature. However, later on, the informant was referred to other hospital where one of the injuries sustained over his ear has been found to be grievous in nature. Admittedly, the said injury has not been attributed to the petitioner. So far allegation of snatching of Rs.40,000/- is concerned, the same is nothing but a super-addition. Moreover, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation or the proceeding of the Court.

5. On the other hand, learned counsel for the State



vehemently opposed the bail application and submitted that specific allegation of snatching of Rs. 40,000/- has been levelled against the petitioner and he had actively participated in the present crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner, the co-accused as well as the informant also sustained injury on account of accident and there is no other allegation of causing assault to the informant, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial Area) P.S. Case No. 111 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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