

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71268 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- SAHPUR District- Patna

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1. Rajendra Rai Son of Late Sukhnandan Rai Resident of Daudpur Bagicha, PS- Shahpur, District- Patna
 2. Awadesh Rai @ Awadhesh Rai @ Awadesh Kumar Son of Sukhnandan Rai Resident of Daudpur Bagicha, PS- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 147, 341, 323, 447, 379, 354, 324,
307, 504, 506 of the IPC.

3. Allegedly, the petitioners along with other accused
persons tried to capture the land of the informant and on protest
they badly assaulted the informant and his family members with
lathi, pistol, rod, farsa etc.

4. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case due to ulterior
motive. No such occurrence, in the manner as alleged, has ever
taken place. It is further submitted that the occurrence took



place on 01.05.2024 but the FIR was lodged on 14.05.2024 I.e after delay of thirteen days without any plausible explanation of delay in filing the case. It is further submitted that the petitioners have already filed a case against the informant by way of Annexure 3 on 02.05.2024 and there is a land rivalry between the parties. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and delay in lodging the present FIR, let the above named petitioners, 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 court below where the case is pending/Successor Court in connection with Shahpur P.S. Case No.174 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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