

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66332 of 2024

Arising Out of PS. Case No.-383 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Sachidanand Ray @ Sachidanand Rai Son of Parmanand Ray Resident Of Village- Yamuna Musehri, Ps- Chapra Muffasil, Dist- Saran
2. Sonu Kumar Son of Rambabu Ray Village- Bajitpur Ps- Chapra Muffasil Dist- Saran
3. Mantu Rai Son of Sachidanand Ray @ Sachidanand Rai Resident Of Village- Yamuna Musehri, Ps- Chapra Muffasil, Dist- Saran
4. Rambabu Ray Son of Sachidanand Ray @ Sachidanand Rai Village- Bajitpur Ps- Chapra Muffasil Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh
		Mr. Ram Binod Singh
For the Opposite Party/s :		Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-10-2024 1. Heard learned Senior counsel for the petitioners
- Mr. Bindhyachal Singh and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 324, 307, 504 and 506 of the Indian Penal Code.
3. Learned Senior counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 28.06.2024 at 09:00 PM, while he was ploughing his field when the accused persons including the petitioners came and started abusing him, on objection it is



alleged that Mohan and Chaturbhuj caught the informant and Balindar assaulted him by dab on head repeatedly causing three injuries on head, further when his family members came to save him, it is alleged that Sachidanand Ray caught Meghnath Ray and Mantu Ray assaulted Meghnath Ray by sword causing injury on his toes and thereafter Bhola Ray also assaulted by sword causing injury on his head, further Sonu and Rambabu Ray assaulted Janak Ray by an iron rod and Sachidanand Ray threatened by his licensed gun.

4. Learned Senior counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is also submitted that petitioners are not criminals. It is next submitted that as far as petitioner no. 1 is concerned, he is a senior citizen aged about 62 years and has been implicated in case with an allegation that he threatened with his licensed weapon, further as far as Sonu and Rambabu Ray are concerned, they are alleged to have assaulted Janak with an iron rod, but then it is asserted and submitted that there is no injury report of Janak on record, further Mantu Ray is alleged to have assaulted



Meghnath with sword causing injury on toe which is non vital part of the body, but then submits that though it is alleged that Meghnath was assaulted by sword, but the injury report records that the injury was caused by hard and blunt substance. It is also submitted that the injury suffered by Meghnath is simple in nature except one injury which is on the toe, which is non vital part of the body. It is also submitted that on account of dispute relating to land both side assaulted each other, as such, from side of the petitioners complaint case came to be instituted being Complaint Case No. 1850 of 2024. It is further submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State submits that though it has been submitted that the injury report of Janak is not on record, but then from order impugned, it manifests that paras 16 and 19 of the case diary records about the injury suffered by the injured, on which the learned Senior counsel for the petitioners submits that paras 16 and 19 of the case diary records the injury report, but then there is nothing in the aforesaid paras about injury of Janak, as such, it has been submitted that there is no injury report of Janak on record.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chapra Muffasil P.S. Case No. 383 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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