

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69675 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Brajesh Kumar Ray @ Brajesh Ray S/o Ram Vinay Ray Resident of Village-
Dumariya, Post- Chanchaura Khaira, PS- Chhapra Mufassil, Distt- Saran at
Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-11-2024 Heard Mr. Yashraj Bardhan, learned counsel for the
petitioner and Mr. Yogendra Kumar, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Chhapra Mufassil P.S. Case No. 295/2024 dated 23.05.2024 registered for the offences punishable under Sections 341, 323, 324, 307, 354B, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution story, informant was at his house on 15.05.2024 when the petitioner and his other family members reached there and assaulted the informant with iron rod on his head due to which he got injured and blood started oozing out and he became unconscious. Laljhari Devi came to save the informant then Ritesh Ray and Nitesh Ray caused her



seminude by Lathi and assaulted on her breast due to which she sustained injuries and also took forty thousand rupees from box kept in room and snatched golden chain and mangalsutra and threatened to kill.

4. The main submissions advanced by the learned counsel for the petitioner are that both the parties are co-sharers and in between them there is a land dispute, as per the prosecution story narrated in the FIR, this petitioner allegedly inflicted an iron rod blow at the head of the informant but as per the injury report of the informant, he sustained two simple injuries only on his parietal region which is not possible if one is assaulted with an iron rod with force. It is further submitted that the two co-accused persons namely Ritesh Ray @ Ritesh Kumar and Ram Vinay Ray named in the FIR have been granted anticipatory bail vide Order dated 07.10.2024 passed in Cr. Misc. No. 66473 of 2024.

5. On the other hand, Mr. Yogendra Kumar, APP appearing for the State opposed the bail application and submitted that the petitioner is the main assailant and he inflicted head injury to the informant by using an iron rod and the same is corroborated by the injury report.

6. Considering the seriousness of the allegation



against the petitioner which shows that he inflicted an iron rod blow at the vital part of the body of the informant and the same gets corroborated from the injury report of the informant and further considering that the petitioner has one criminal antecedent. Therefore, I am of the opinion that it is not a fit case where the petitioner should be given anticipatory bail. Accordingly, the prayer is rejected.

(Shailendra Singh, J)

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