

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72215 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- SARAI District- Vaishali

1. Naval Ray Son of Sahadev Ray Resident of Village - Majhauri Mohamadpur Buzurg, P.S. - Sarai, District - Vaishali at Hajipur
2. Rupesh Kumar @ Rupesh Ray Son of Jangbahadur Ray Resident of Village - Majhauri Mohamadpur Buzurg, P.S. - Sarai, District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Sudha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sarai PS case no. 246 of 2023, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 30.08.2023 in the morning, when the informant was sitting at his door, the petitioners along with other accused persons armed with sword, lathi, danda etc. arrived at the door of the informant. Petitioner no. 2 assaulted the informant with sword and petitioner no. 1 assaulted



informant's younger brother's wife with lathi on her head, due to which, she sustained fracture injury on her head.

4. Learned Counsel for the petitioners submits that both parties are agnates and there is land dispute between them, case and counter case is going on and petitioners' side has lodged Sarai PS case no. 254 of 2023 against informant and others. Both parties have entered into compromise and the bail application of the petitioners' and informant's side was rejected by common order dated 30.04.2024. Learned counsel further submits that the accused persons (from the informant's side) of the F.I.R. lodged by the petitioners' side approached this Court in Cr. Misc. No. 47700 of 2024 and a co-ordinate Bench of this Court, vide order dated 14.08.2024, granted anticipatory bail to the informant's side.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are agnates, case and counter case is there and in the counter case, accused persons from the side of informant have been granted anticipatory bail by this Court, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their



arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai PS case no. 246 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

