

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69067 of 2024

Arising Out of PS. Case No.-259 Year-2023 Thana- DORIGANJ District- Saran

1. Kameshwar Rai @ Kameshwar Ray S/o- Nand Kumar Rai R/o - Chakiya, P.S - Doriganj, District – Saran (Chhapra)
2. Binogi Ray @ Vinovi Rai @ Biyogi Rai Son of Shri Kishun Ray @ Kushum Ray R/o - Chakiya, P.S - Doriganj, District – Saran (Chhapra)
3. Shiv Parsan Rai @ Shiv Prashan Ray Son of Baijnath Rai R/o - Chakiya, P.S - Doriganj, District – Saran (Chhapra)
4. Munna Rai @ Munna Kumar Son of Shambhu Ray R/o - Chakiya, P.S - Doriganj, District – Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ghanshyam Tiwary, Advocate
For the State	:	Mr.Ahmad Ali, APP
For the Informant	:	Mr. Ramashray Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Doriganj P.S. Case No. 259 of 2023 instituted for the offence under Sections 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code.

3. The case of the prosecution is that the petitioners along with others arrived and started assaulting the informant. The specific allegation is against one Tarkeshwar Rai who



assaulted on the head due to which the informant received head injury. After that, all the accused persons assaulted the informant on his back and leg etc. There is also the allegation of snatching chain and Rs. 5000/- by the accused persons.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of the F.I.R. itself, it is clear that the specific allegation is against Tarkeshwar Rai. The nature of allegation is against these petitioners is general and omnibus. From perusal of the injury report, it is clear that the informant has received one lacerated wound and nature of the injury is grievous. However, the nature of allegation against these petitioners is general and omnibus and allegation does not find support from the injury report. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The



petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Doriganj P.S. Case no. 259 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Saran, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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