

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70560 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- SONEPUR District- Saran

1. Shashi Ray @ Satendra Rai Son Of Late Vishwanath Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
2. Dinesh Rai Son Of Late Vishwanath Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
3. Sheo Kumar Rai @ Sheo Kumar Son Of Dinesh Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
4. Kunal Rai @ Kunal Kumar Son Of Lalu Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
5. Jeetlal Rai @ Jeetlal Kumar @ Jivlal Kumar Son Of Akhilesh Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
6. Jitendra Rai @ Jitendra Kumar @ Jitendra Ray Son Of Akhilesh Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
7. Darvesh Rai @ Darvesh Kumar Son Of Late Shivnath Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)
8. Akhilesh Rai Son Of Ramashankar Rai Resident Of Village - Chitrasenpur, P.S. - Sonepur, District - Saran At Chapra (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioners 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, 148,
149, 341, 323, 324 of the Indian Penal Code and Section 27 of



the Arms Act.

3. As per the prosecution case, the petitioners are said to have assaulted the informant and his family members by means of various weapons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is specific allegation against petitioner no. 1, Shashi Ray, who assaulted the informant by means of sword on his head but the injury report has not supported the prosecution case. He further submits that there is case and counter case between the parties and both sides have sustained injuries and the injuries were found simple in nature. Petitioners no. 1 to 7 have one criminal antecedent and petitioner no. 8 has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is case and counter case between the parties, 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 lower Court where the case is pending/successor Court in connection with Sonapur P.S. Case No.73 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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