

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70477 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Sri Ray S/o Panchlal Ray @ Panchalal Ray R/o Village- Raja Jan, P.S.-
Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shanti Bhushan Singh, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-10-2024 Heard Mr. Shanti Bhushan Singh, learned counsel
for the Petitioner and Mr. Syed Ehteshamuddin, learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Mohiuddin Nagar P.S. Case No. 116 of 2024 dated
05.06.2024 registered for the offences punishable under
Sections 341, 323, 324, 307, 504, 506 read with Section 34 of
the Indian Penal Code.

3. The main submissions advanced by learned counsel
appearing for the petitioner are that in the FIR the main
allegation of having assaulted the informant by means of iron
khanti is against the co-accused, Ismiler Kumar, though the
petitioner is named in the FIR but against him any specific role



in the commission of the alleged occurrence has not been attributed by the informant and the allegation concerned to him, is general and omnibus. It is further submitted that the FIR was lodged after a delay of one day and the same was sent to the concerned Judicial Magistrate after 13 days after the registration of the FIR which creates a suspicion on the reliability of the prosecution's allegation. Learned counsel further submits that the informant has wrongly given details of his injury as according to his injury report, only one lacerated wound on his upper occipital region in the size of 1 inch x 1/2 inch with head swelling as well as abrasion on his elbow were found and the same were opined to be simple in nature but the informant has mentioned that he was given fifteen stitches on his head. It is further submitted that the petitioner has no criminal antecedent.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Considering the facts and circumstances of this case as well as above submissions and the nature of allegation appearing against this petitioner coupled with the fair and clean antecedent of this petitioner, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender



before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Mohiuddin Nagar P.S. Case No. 116 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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