

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70515 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- KAJRAILI District- Bhagalpur

1. Sadanand Rai Son of Sukhdeo Rai Resident of Village- Bahadurpur, Police Station- Kajraili, Distt.- Bhagalpur
2. Suraj Kumar @ Suraj Rai Son of Sadanand Rai Resident of Village- Bahadurpur, Police Station- Kajraili, Distt.- Bhagalpur
3. Dipak Kumar @ Dipak Rai Son of Sadanand Rai Resident of Village- Bahadurpur, Police Station- Kajraili, Distt.- Bhagalpur
4. Roushan Kumar @ Roshan Rai Son of Sadanand Rai Resident of Village- Bahadurpur, Police Station- Kajraili, Distt.- Bhagalpur
5. Rinku Rai Son of Late Parladh Rai Resident of Village- Bahadurpur, Police Station- Kajraili, Distt.- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr. Rajendra Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-10-2024 1. Heard Mr. Dr. Manoj Kumar, learned counsel for the petitioners and Mr. Rajendra Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kajraili P.S. Case No. 53 of 2024 dated 15.06.2024 registered for the offence(s) punishable under Section(s) 341, 323, 307 and 504 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Explosive Substances Act.

3. The main submissions advanced by learned counsel



for the petitioners are that altogether seven persons including the petitioners have been named in the F.I.R. but there is no specific allegation against any of them and the allegation of throwing a bomb at the informant is completely false as on the person of the informant, as per injury report (Annexure- 'P/2'), only one abrasion on his right wrist was found and no blackening or any mark of burning was found on his person which is sufficient to falsify the said allegation. It is further submitted that admittedly there is a partition dispute in between both the parties and there is case and counter case in between them.

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

5. Considering the facts and circumstances of this case as well as above submissions coupled with the fact that in between both the parties, there is a partition dispute and there is case and counter case and the informant sustained one simple injury, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their 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 Kajraili P.S. Case No. 53 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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