

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76729 of 2023

Arising Out of PS. Case No.-380 Year-2023 Thana- MADHAURAH District- Saran

1. BABAN RAI S/O LATE MASTGER RAY VILLAGE- SUKSENAR DHARMOLI, PS. MARHOWRRAH, DIST. SARAN
2. VIKARMA RAI S/O BALID RAY VILLAGE- SUKSENAR DHARMOLI, PS. MARHOWRRAH, DIST. SARAN
3. GUDDU RAI S/O SHARODAN RAY VILLAGE- SUKSENAR DHARMOLI, PS. MARHOWRRAH, DIST. SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nalin Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 307/379/341 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including these petitioners and 10 to 15 unknown persons, in intoxicated state, entered the house of the informant and tried to pick up bags. On protest, they assaulted the informant and his family members by means of lathi and took away bag contained ornaments and cash Rs. 3 lacs.



Petitioner no.3 assaulted informant’s brother with dab causing him grievous injury.

4. It is submitted on behalf of the petitioners that the parties are neighbourers and dispute arose between them during watching music programme.

5. Considering the aforesaid facts and the fact that petitioner no. 1 and 2 caused simple injuries, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 the Chief Judicial Magistrate, Saran at Chapra in Marhowrah Police Station Case No. 380 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

6. Since petitioner no.3 caused grievous injury to the brother of the informant, prayer for bail of petitioner no.2 is rejected.

(Prabhat Kumar Singh, J)

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