

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81488 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- MOHANPUR District- Samastipur

1. Premchandra Ray @ Pramchandra Ray Son of Late Dhayni Ray Resident of Village - Sakin Dih, Police Station - Mohanpur, District - Samastipur
2. Rajesh Kumar @ Rajesh Ray Son of Premchandra Ray Resident of Village - Sakin Dih, Police Station - Mohanpur, District - Samastipur
3. Nitish Kumar Son of Premchandra Ray Resident of Village - Sakin Dih, Police Station - Mohanpur, District - Samastipur
4. Rita Devi Wife of Premchandra Ray Resident of Village - Sakin Dih, Police Station - Mohanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under 115(2), 126(2), 109, 121(2), 132, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the FIR, the informant and others conducted raid at the house of the petitioners in connection with Patori (Mohanpur O.P.) P.S. Case No.18 of 2024 in order to arrest the petitioner no.1 of the present case. It is alleged that all the petitioners assaulted the police party and did not allow the police to arrest the petitioner no.1.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioners have one criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not inclined to enlarge the petitioner nos.1, 2 and 3 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. However, as the petitioner no. 4 is a lady and there is no specific overt act against her, let the above named petitioner no. 4, be released on bail, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mohanpur P.S. Case No.96 of 2024, subject to the conditions as laid down



under Section 482(2) of the BNSS, 2023.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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