

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78513 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- GAURICHAK District- Patna

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1. Gauri Roy @ Gauri Shankar, S/O Vijay Roy, R/O Village- Nirbullahchak, P.S- Pachrukhiya (Gaurichak), Distt.- Patna.
 2. Vijay Roy, S/O Late Heera Roy, R/O Village- Nirbullahchak, P.S- Pachrukhiya (Gaurichak), Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioners and Mr. Tapeshwar Sharma, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Gaurichak P.S. Case No.09 of 2024 instituted for the offence under Sections 149, 147, 341, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioners along with others surrounded the informant and it is alleged that Rajiv Ray fired with a pistol which hit him the left leg and Ranjit Ray fired which hit the right leg of the informant's nephew Subodh Kumar.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. From perusal of the F.I.R., it is clear that the specific allegation is against one Rajiv Ray and Ranjit Ray. There is no allegation of any overt-act against the petitioners. From perusal of the order of the trial Court, it is clear that the nature of injury is simple. Petitioners are having criminal antecedent of one case which is regarding recovery of the arms in this case itself.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Gaurichak P.S. Case No. 09 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patna City, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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