

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81551 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

1. Mahesh Ray Son of Late Binda Ray Resident of Village and PO- Madhopur Hazari, P.S.- Sahebganj, District- Muzaffarpur
2. Manjay Kumar @ Manjay Ray Son of Mahesh Ray Resident of Village and PO- Madhopur Hazari, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending his arrest in connection with Sahebganj P.S Case No. 122 of 2024 instituted for the offence punishable under Sections 341, 323, 325, 307, 379, 354(B), 447, 448, 506/34 of the Indian Penal Code.

3. As per prosecution case, it is a case of attempt of rape and assaulting of the informant and her family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. The petitioners are patidars of the informant and there is admitted



land disputes in between the both the parties.

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

6. From perusal of the F.I.R., impugned order and case diary, it appears that there is specific allegation against the petitioner no.2- Manjay Kumar @ Manjay Ray for the offence under Section 354(B) and attempt to commit rape on informant.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the Petitioner No. 2- Manjay Kumar @ Manjay Ray.

8. Accordingly, prayer for anticipatory bail of the Petitioner No. 2- Manjay Kumar @ Manjay Ray is hereby rejected.

9. However, Petitioner No.1-Mahesh Ray is old person and he is aged about 71 years as stated in bail petition. Further, there is no specific allegation of offence under Section 354(B) and 307 of the I.P.C against the Petitioner No. 1- Mahesh Ray.

10. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner no. 1 (Mahesh Ray) be released on bail



in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Muzaffarpur in connection with Sahebganj P.S Case No. 122 of 2024 subject to the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

