

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81860 of 2023

Arising Out of PS. Case No.-355 Year-2023 Thana- NARPATGANJ District- Araria

NIRMAL RAY SON OF YUGAL RAY R/O VILLAGE- CHAKARDAHA,
WARD NO. 14, P.S.- NARPATGANJ, DIST.- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

3. Allegedly, all the accused persons including this petitioner are said to have assaulted the informant with *farsa* on his head causing head injury and when the informant's wife came there to save him, co-accused Sharwan Ray and Anil Ray assaulted her with *lathi* and tore her cloth and also snatched one golden chain and earring from her possession. They also assaulted the informant's son brutally.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely



implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injuries sustained by the victims are simple in nature. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 13.12.2023 passed in Cr. Misc. No. 75700 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the injuries sustained by the victims are simple in nature, let the above named petitioner, be released on bail, in the event of his 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 Narpatganj P.S. Case No. 355 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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