

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83682 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- BALRAMPUR District- Katihar

1. CHHETALU RAY @ CHHJAITALU RAY S/O LATE HAJARU LAL RAY VILLAGE- KARNIYA, PS. BALRAMPUR, DIST. KATIHAR.
2. MANIK RAY @ MANIK KUMAR RAY S/O CHHETALU RAY @ CHHJAITALU RAY VILLAGE- KARNIYA, PS. BALRAMPUR, DIST. KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehends their arrest in Balrampur P.S. Case No. 108 of 2023 registered for the offence punishable under Sections-341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, the informant's son and accused Shanideval were quarreling each other and the accused tried to drown him in the water. When the informant came to rescue, he was assaulted by fists and slaps and in consequence thereof, the informant's brother-in-law and nephew were also assaulted as a result of which, they sustained injuries.

4. Learned counsel for the petitioners has submitted that



the petitioners are innocent and they have falsely been implicated in the present case. There is case and counter case between the parties. It has been submitted that there is specific allegation against the petitioner No. 1 that he assaulted Dilip Rai and the petitioner No. 2 assaulted Kailash Rai.

5. On the other hand, learned counsel for the informant has opposed the prayer for grant of anticipatory bail and submitted that Dilip Rai suffered grievous injuries and there are six injuries on the person of informant, and these injuries are attributed to petitioner No. 1.

6. Considering the aforesaid facts and circumstances, prayer for grant of anticipatory bail in respect of the petitioner No. 1 **stands rejected** and so far the petitioner No. 2 is concerned, in the event of his arrest or surrender within a period of four weeks, he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Monika Rai, learned J.M. Ist Class, Katihar in Balrampur P.S. Case No. 108 of 2023 subject to the conditions as laid down under Section 438 of the Cr.P.C.

(Nawneet Kumar Pandey, J)

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