

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82423 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- VIDYAPATINAGAR District- Samastipur

1. Surendra Rai @ Surendra Yadav Son of Late Radhey Rai @ Late Radhe Ray Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
2. Doman Rai @ Pawan Kumar Rai @ Pawan Kumar Yadav @ Pawan Ray @ Doman Rail Son of Surendra Rai @ Surendra Yadav Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
3. Santosh Rai @ Santosh Kumar Son of Surendra Rai @ Surendra Yadav Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
4. Kari Rai Son of Surendra Rai @ Surendra Yadav Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
5. Lalan Rai @ Lalan Kumar Son of Mahendra Ray @ Mahendra Rai Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
6. Manish Kumar @ Manis Kumar Yadav @ Manish @ Manish Raja Son of Rambali Rai @ Rambali Yadav @ Ramvali Yadav @ Rambali Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
7. Ramnath Rai @ Ramnath Yadav @ Ramnath Son of Late Baleshwar Rai @ Late Baleshwar Yadav Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
8. Rambali Rai @ Rambali Yadav @ Ramvali Yadav @ Rambali Son of Late Baleshwar Rai @ Late Baleshwar Yadav Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
9. Manjaylal Rai @ Manjaylal Kumar @ Manjay Lal Son of Bilendra Rai @ Birendra Ray @ Vilindra Ray Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur
10. Pankaj Rai @ Dankal Kumar Son of Bilendra Rai @ Birendra Ray @ Vilindra Ray Resident of Village - Kasthara Bazidpur, Police Station - Vidyapatinagar , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN



ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw this application in respect of petitioner no.8.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn
in respect of petitioner no.8 only.

5. Now this application survives for rest of the petitioners.

6. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 149,
341, 323, 325, 307, 379, 354, 427, 504, 506 of the Indian Penal
Code.

7. Allegedly all the FIR named accused persons including
the petitioners along with 15 unknown persons are said to have
abused and assaulted the informant and her family members
brutally by means of deadly weapons due to which they have
sustained injuries.

8. It is submitted by learned counsel for the petitioners
that the petitioners are quite innocent and have committed no
offence. No such occurrence as alleged has ever taken place.
Petitioners have falsely been implicated in this case due to
ulterior motive. The allegation levelled against the petitioners



is totally false and based on concocted facts. Both the parties are next door neighbours and there is admitted land dispute between them. Both sides have sustained injuries and filed cases against each other. There is inordinate and abnormal delay of about 11 days in lodging the FIR without assigning any plausible and convincing reason for the said delay. It is further submitted that all the injuries sustained by the injured persons were found simple in nature except one injury sustained by injured Pawan Kumar, but the said grievous injury does not corroborate the allegation levelled by the informant in the FIR. Learned counsel further submits that nothing specific has been attributed against the petitioners and they have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposes the prayer for bail.

10. Having regard to the facts and circumstances of the case, since from bare perusal of the FIR, it is evident that there is general and omnibus allegation against the petitioners, let the above named petitioner nos. 1 to 7, 9 & 10, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of



the learned lower Court where the case is pending/successor Court in connection with Vidyapatnagar P.S. Case No.93 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023.

11. Accordingly, the application stands partly allowed.

(Anjani Kumar Sharan, J)

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