

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84495 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- MUSRIGHRARI District- Samastipur

1. Mukesh Kumar @ Mukesh Rai Son Of Ramnarayan Ray Resident Of Village- Latbasepura, P.S.- Musrigharari, District- Samastipur
2. Rajan Kumar Son Of Ramnarayan Ray Resident Of Village- Latbasepura, P.S.- Musrigharari, District- Samastipur
3. Ramnarayan Ray Son Of Ramdev Ray Resident Of Village- Latbasepura, P.S.- Musrigharari, District- Samastipur
4. Manish Kumar Son Of Shankar Ray Resident Of Village- Latbasepura, P.S.- Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 379, 504, 506 and 34 of the Indian Penal Code and later on Section 307 of the IPC has been added.

3. As per FIR, all the accused persons assaulted the informant with lathi, danda and iron rod as a result of which he received grievous injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case due to family dispute. He submits that all the offences as alleged against the petitioners are bailable in nature except Sections 307, 379 of the IPC. He submits that there is general and omnibus allegation levelled against the petitioner. He further submits that petitioner nos. 3 and 4 have no criminal antecedent and petitioner nos. 1 and 2 have one criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case and the fact that there is no specific over act against the petitioner nos. 3 and 4, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Musrigharari P.S. Case No. 75 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner nos. 1 and 2 are concerned, there is specific allegation against them, I am not inclined to



enlarge the petitioner nos. 1 and 2 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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