

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6635 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- MIRGANJ District- Gopalganj

1. VISHAL RAY S/O MANAGER RAY R/O VILLAGE- PIPRA KHAS, P.S- MIRGANJ, DISTT.- GOPALGANJ.
2. MANAGER RAY S/O DAROGA RAY R/O VILLAGE- PIPRA KHAS, P.S- MIRGANJ, DISTT.- GOPALGANJ.
3. RUCHI KUMARI D/O MANAGER RAY R/O VILLAGE- PIPRA KHAS, P.S- MIRGANJ, DISTT.- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arunkumar Lal

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mirganj Police Station Case No. 288 of 2023, disclosing offences under Sections 341, 323, 324, 325, 307, 504, 506, 34 of the Indian Penal Code.
3. As per the prosecution case, a panchayati was held, related to land at the door of informant's uncle Upendra Ray. When the accused persons, along with the petitioners, came there, armed with weapons, and attacked. Petitioner No. 1 assaulted Munna Kumar Ray by



means of iron rod on head, with an intention to kill him.

Petitioner No. 3 assaulted Munna Ray by means of sword and when grandfather of Daroga Ray intervened, she assaulted grandfather of Daroga Ray, also, by means of sword. Petitioner No. 2 assaulted the informant and his uncle Ram Janam Singh with *lathi*. When one, Shivshankar Ray, tried to snatch the sword from the hands of petitioner No. 3, she assaulted him with sword, due to which he got cut on his right arm.

4. Learned Counsel for the petitioners submit that the petitioners are closely related to the informant and there is land dispute between them. He further submits that the occurrence took place on 21.07.2023 and the FIR was lodged on 27.07.2023 i.e., after the delay of five days. He further submits that the injuries caused to Munna Ray, Daroga Ray and Shiv Shankar Ray, by petitioner No. 1 and 3, are simple in nature and the allegation of assault against petitioner No. 2 is false and concocted, as the informant and Ramjanam Ray were not treated by any Doctor after the assault. He further submits that there is a counter case from the side of the petitioners bearing Mirganj P.S. Case No. 299 of 2023.



5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related, the allegation of assault, causing injury, is simple in nature and there is a case and counter case, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, Vishal Ray Manager Ray Ruchi Kumari, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Additional Chief Judicial Magistrate-XV, Gopalganj, in connection with Mirganj Police Station Case No. 288 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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