

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6319 of 2024

Arising Out of PS. Case No.-122 Year-2018 Thana- CHANDAN District- Banka

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1. Lal Mohan Rai SON OF VANSHRAJ RAY VILLAGE-PAHARPUR, P.S.-CHANDAN, DISTRICT-BANKA
 2. SURYA NARAYAN RAY SON OF VANSHRAJ RAY VILLAGE-PAHARPUR, P.S.-CHANDAN, DISTRICT-BANKA
 3. RANJIT RAY SON OF SURYA NARAYAN RAY VILLAGE-PAHARPUR, P.S.-CHANDAN, DISTRICT-BANKA
 4. SANJIT KUMAR RAY @ SANJEET KUMAR ROY SON OF SURYA NARAYAN RAY VILLAGE-PAHARPUR, P.S.-CHANDAN, DISTRICT-BANKA
 5. GANGIYA DEVI WIFE OF LALMOHAN RAY VILLAGE-PAHARPUR, P.S.-CHANDAN, DISTRICT-BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Learned counsel appearing on behalf of the petitioners at the outset submitted that during the pendency of the present application, petitioners No.2, 3 and 4 were arrested and, as such, he seeks to withdraw the bail application on their behalf.

2. Accordingly, the present bail application is dismissed as withdrawn so far as petitioners no.2, 3 and 4 are concerned.

3. Heard Mr. Ajay Mukherjee, learned counsel



appearing on behalf of the petitioners and Mr. Bharat Lal, learned APP for the State.

4. The petitioner No.1 and 5 seek pre-arrest bail in connection with Chandan P.S. Case No. 122 of 2018 dated 27.07.2018 registered for the offence(s) punishable under Sections 341, 323, 324, 308, 504, 506/34 of the Indian Penal Code.

5. Allegation is that of assaulting the informant by the accused persons named in the FIR. The informant sustained injury on his head.

6. Learned counsel appearing on behalf of the petitioners submitted that there is general and omnibus allegation against the petitioners no.1 and 5, who are husband and wife and they have been falsely been implicated in the present case. Learned counsel further submits that the injury sustained by the informant is simple in nature and in this regard, he has brought on record the injury report (Annexure 2) for consideration of this Court with respect to the opinion of the doctor in respect of the injury. The petitioners have clean antecedent.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.



8. Considering the nature of allegation made in the FIR, as well as, the injury sustained on the head of the informant, is found, as per the opinion of the doctor, to be simple in nature, the **petitioners no.1 and 5, Lalmohan Ray and Gangiya Devi** are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 122 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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