

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2629 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- RAGHOPUR District- Vaishali

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1. Munna Ray son of Nasib ray village- Bahrampur PS -Raghopur (Rustumpur OP), District- Vaishali
 2. Tunna Ray Son of Nasib Ray village- Bahrampur PS -Raghopur (Rustumpur OP), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Raghopur P.S. Case No. 188 of 2024 instituted for the offences under Sections 147, 148, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

3. As per prosecution case, the accusation against the petitioners is of assaulting the Informant's wife on her person with *lathi and danda*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and has falsely been implicated in the



present case due to malice and grudge. There is inordinate delay in lodging the F.I.R. which creates doubt in the prosecution case. There is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The specific allegation of repeated assault on the head of the injured Sheela Devi is upon the co-accused Nasib Ray. The specific allegation against the petitioners is of assaulting Sheela Devi on her eyes but, from the injury report, there is no injury on the eye of the victim Sheela Devi. Thus, the injury report does not corroborate the allegation made in the F.I.R. Both the parties are agnates and there is existing dispute between the parties. There is a case and counter case between the parties. The petitioners have no criminal antecedent and is languishing in judicial custody since 29.10.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the



petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghopur P.S. Case No. 188 of 2024.

(Rudra Prakash Mishra, J)

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