

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6261 of 2025

Arising Out of PS. Case No.-93 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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1. Mathura Ray S/o Kaman Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 2. Kapil Ray @ Kapildeo Ray S/O Kaman Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 3. Arjun Ray @ Arjun Kumar S/o Kapil Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 4. Raju Ray S/o Kapil Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 5. Bhati Kumar @ Bhati Ray S/O Mathura Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 6. Sona Ray S/o Nagendra Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 7. Rakesh Ray S/o Nagendra Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran
 8. Jitendra Ray S/o Shree Ray Resident of village- Narayanpur Banpurwa, P.S.- Damaria Ghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Dumariaghat P.S. Case No. 93 of 2020, registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 324,
307, 354(B), 379, 504, 506 of the IPC.



3. The case of the prosecution, in short, is that on 12.05.2020 when the informant was standing near his house, all the petitioners armed variously surrounded and started abusing him. Upon objection, Petitioner no. 1, Mathura Rai hit the informant on his head twice with a farsa, causing severe bleeding. When the informant fell down, all accused persons assaulted him. When the informant's father, Dasrath Rai came to save him, Rajesh Rai struck him with an iron rod on the head. When the informant's wife Mani Devi came to save, she was abused, assaulted and Petitioner no. 3 Arjun Ray torn her cloth. Petitioner no. 8, Jitendra Ray snatched her gold mangalsutra worth Rs. 18,000/-. Petitioner no. 6 Sona Ray also stole Rs.3,500/- from the informant's pocket.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case due to admitted land dispute. Both the parties are agnates and due to land dispute, scuffle took place in which both parties have sustained injuries. He further submits that the present case is counter blast of Dumariaghat P.S. Case No. 92 of 2020 lodged by the petitioner no. 1, Mathura Ray.

5. Learned A.P.P. for the State opposes the prayer of



anticipatory bail.

6. The incident of mar-pit is alleged to have occurred on 12.05.2020 at about 7 pm between the informant and the petitioners. One of the petitioners namely Mathura Ray lodged an FIR on 27.05.2020 bearing Dumariaghat P.S. Case No. 92 of 2020 which has been brought on record as Annexure-P/2. Subsequent to lodging of this FIR, the informant with regard to the same incident has lodged the present FIR against petitioners bearing Dumariaghat P.S. Case No. 93 of 2020. Clearly this is a case and counter case between two parties of the same village. There is allegation against all the petitioners of assaulting and abusing the informant and informant's wife. The learned APP is unable to show any grievous injury sustained by the informant or his wife. All the petitioners have clean antecedent. Considering the fact that this is a matter relating to enmity between the petitioner and the accused persons and there has been case and counter case, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five thousand) each with two sureties of



the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, East Champaran in connection with
Dumariaghat P.S. Case No. 93 of 2020, subject to the conditions
laid down under section 482(2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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