

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57310 of 2025

Arising Out of PS. Case No.-492 Year-2022 Thana- ALOULI District- Khagaria

1. Pandav Ray @ Sharda Nand Singh @ Pandav Singh, S/O Late Harkhit Ray, R/O Village- Sanokhar, P.S- Alauli, Distt.- Khagaria.
2. Radhe Ray, S/O Late Harkhit Ray, R/O Village- Sanokhar, P.S- Alauli, Distt.- Khagaria.
3. Raj Kumar Ray @ Radhey Ray, S/O Radhe Ray, R/O Village- Sanokhar, P.S- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. The petitioners apprehend their arrest in connection
with Alauli P.S. Case No. 492 of 2022, registered for the
offences punishable under Sections 341, 323, 504, 506, 447,
379, 354(B), 308 and 34 of the Indian Penal Code.

3. While the informant was engaged in fencing his
land, after proper measurement done by the *Amin*, in the mean
while all the FIR named accused persons including the
petitioners variously armed with iron rod and *lathi* came there



and obstructed in fencing. When protest was made, on exhortation made by petitioner no.1, the petitioner no. 2 has assaulted the informant by means of iron rod. The petitioner no. 1 also snatched Rs. 5,000/- from the pocket of the informant and further other co-accused persons also assaulted and snatched golden chain.

4. Learned Advocate appearing on behalf of the petitioners submitted that considering the allegation and the materials the police has submitted chargesheet only for the offences under Section 323, 504, 506, 447, 354(B), 308 and 34 of the Indian Penal Code, and during the course of investigation the petitioners were given the benefit under Section 41(a) of the Code of Criminal Procedure. However, after cognizance being taken for the offences as alleged in the FIR, the petitioners have approached this Court for grant of anticipatory bail. It is further contended that there is counter version of the present case being Alauli P.S. Case No. 494 of 2022. The injuries which is allegedly sustained to the informant and others is concerned, the same has been found to be simple in nature; moreover both the sides are own *gotiyas* and there is a land dispute, standing between the parties. The petitioners bear fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding.



5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submitted that they have actively participated in the crime and have assaulted the injured person.

6. Having considered the submissions set forth by learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the simple nature of injuries as also the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 492 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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