

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75450 of 2024

Arising Out of PS. Case No.-670 Year-2022 Thana- MADHAURAH District- Saran

1. Rajesh Ray, Son of Kedar Ray, Village- Babu ke Asoiya PS- Madhaura Distt- Saran at Chapra
2. Bittu Ray, Son of Mokhtar Ray, Village- Babu ke Asoiya PS- Madhaura Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Madhaura P.S. Case No. 670 of 2022 registered on 24.10.2022 for the offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution, the present F.I.R. has been lodged against three named accused, including the present petitioners. It is specifically alleged that petitioner no. 1 assaulted the informant on the neck with a *daab*, but the injury was caused on the informant's head. Petitioner no. 2 is alleged to have assaulted the informant on the mouth with an iron fighter.



4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. The petitioners have been implicated in the present case due to dirty village politics. The antecedents of the petitioner are clean. In fact, for the said date and occurrence, the petitioners' side has lodged Madhaura P.S. Case No. 673 of 2022 against the informant. The petitioners are accused in one another criminal case, but in that case, they have been granted bail.

4. Learned APP for the State opposes the prayer for bail of the petitioners.

5. Considering the nature of allegation levelled against petitioner no.2, namely, Bittu Ray, let he be directed to be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Chapra, Saran, in connection with Madhaura P.S. Case No. 670 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. However, considering the nature of allegation levelled against petitioner no.1, Rajesh Ray, and the injury received by the informant which is grievous in nature, this Court



is not inclined to grant bail to petitioner no.1, Rajesh Ray.
Accordingly, the prayer for bail so far as it relates to petitioner
no.1 is hereby rejected.

(Dr. Anshuman, J)

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