

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79175 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- SIMRI District- Buxar

1. Ramesh Rai, Son of Lalan Rai, Resident of Mukundpur, P.S.- Simri, District- Buxar
2. Murli Rai, Son of Dashrath Rai, Resident of Mukundpur, P.S.- Simri, District- Buxar
3. Umashankar Rai, Son of Lalan Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
4. Sohan Rai @ Sonu Rai, Son of Naga Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
5. Sukhnandan Rai, Son of Sohan Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
6. Ajay Rai, Son of Sri Ram Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
7. Sanjay Rai @ Sanjay Kumar, Son of Shri Ram Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
8. Tuntun Ray, Son of Sri Bhagwan Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar
9. Raju Ray, Son of Tulsi Ray @ Hare Ram Ray, Resident of Mukundpur, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 19-05-2025 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 Simri P.S. Case No. 162 of 2024, registered for the



offences punishable under Sections 147, 149, 341, 323, 324, 307, 379, 504, 354(B) and 506 of the Indian Penal Code.

3. The allegation against the petitioners is of brutally assaulting the informant and his family members by means of various weapons, leading to severe injuries.

4. Learned Advocate appearing on behalf of the petitioners contended that the alleged occurrence took place in the premise of long standing enmity between the parties and, in fact, there is a counter version of the present case being Simri P.S. Case No. 165 of 2024, the copy of which is marked as Annexure P/2. It is further contended that in fact on the fateful day on account of the land dispute, both the parties have entered into a free fight, resulting into injuries to persons of both the sides. Moreover, the injuries sustained to the informant and others have been found to be simple in nature. The petitioners are men of fair antecedent and they undertake before this Court that they will not indulge in such type of activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submitted that in the occurrence three persons have sustained injuries.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and



counter case, coupled with the simple nature of injuries and 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, Buxar in connection with Simri P.S. Case No. 162 of 2024, 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 petitioner.

(Harish Kumar, J)

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