

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80420 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- TARIYANI CHAPRA PS District-
Sheohar

-
1. Ram Parbal Ray Son of Late Kailash Ray Resident of Village- Lohsurka,
PS- Tariyani Chhapra, District- Sheohar
 2. Arvind Ray Son of Late Mehilal Ray Resident of Village- Lohsurka, PS-
Tariyani Chhapra, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 84970 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- TARIYANI CHAPRA PS District-
Sheohar

-
1. Ajay Ray @ Ajay Kumar S/o Late Mehilal Ray Resident of Village-
Lohsurka, PS- Tariyani Chhapra, District- Sheohar
 2. Manish Kumar S/o Late Mehilal Ray Resident of Village- Lohsurka, PS-
Tariyani Chhapra, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 80420 of 2024)

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP
For the Informant : Mr. Durgesh Shukla, Advocate
: Mr. Santosh Kumar, Advocate
: Mr. Shubham Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 84970 of 2024)

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP
For the Informant : Mr. Durgesh Shukla, Advocate
: Mr. Santosh Kumar, Advocate
: Mr. Shubham Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Rajesh Ranjan, learned counsel for the



petitioners, Mr. Chandra Bhushan Prasad, learned Additional Public Prosecutor for the State (in Cr. Misc No. 80420 of 2024), Mr. Durgesh Shukla, learned counsel for the Informant, Ms. Nirmala Kumari, learned counsel for the State (in Cr.Misc No. 84970 of 2024).

2. The petitioners are apprehending their arrest in connection with Tariyani Chapra P.S. Case No. 60 of 2024, F.I.R. dated 30.07.2024 for the offences punishable under Sections 329(4), 126(2), 115(2), 117(2), 109, 103(1) & 3(5) of BNS.

3. According to prosecution case, petitioners assaulted the informant's family members by means of iron rod and bamboo.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to petty dispute the present occurrence has taken place. Although the petitioners are named in the FIR but it appears from the FIR that there is specific allegation of assault against co-accused person namely Bipin Kumar and there is no specific allegation of assault or overt act against all the accused persons including these petitioners except co-accused Bipin Kumar



rather the allegations levelled against the petitioners are general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that with the common intention these petitioners have assaulted the husband of the informant and her family members.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and there is no specific allegation against these petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar in connection with Tariyani Chapra P.S. Case No. 60 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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