

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86414 of 2024

Arising Out of PS. Case No.-529 Year-2023 Thana- TAJPUR District- Samastipur

1. Amresh Ray @ Alok Ray S/o Raghuvansh Ray R/o Village- Banwaripur, P.S.- Tajpur (Halai O.P.), District- Samastipur
2. Sukesh Kumar S/o Raghuvansh Ray R/o Village- Banwaripur, P.S.- Tajpur (Halai O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-04-2025 Heard learned Counsel for the petitioners and learned counsel for the informant as well as learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Tajpur (Halai O.P.) P.S. Case No. 529 of 2023 registered for the offences punishable u/s 147, 148, 149, 447, 341, 323, 307, 354, 379, 504 and 506 of the I.P.C.

3. As per the prosecution case, on 15.09.2023, all the named accused persons are said to have approached the informant armed variously with Lathi, Farsa, Talwar and Garasa etc., and started assaulting him. It is further alleged that the petitioner no. 1, namely, Amresh Ray had assaulted one Ashok



Rai and inflicted a Farsa blow on his head. Further, the co-accused, namely, Sakshi Kumari is alleged to have snatched away a golden locket and a mobile phone.

4. Learned counsel for the petitioners has submitted that the petitioners have been implicated in this case along with other co-accused persons in an incident where in the heat of moment both the parties have entered into a scuffled. It is further submitted that earlier also there was a case lodged by the mother of the petitioners against the informant. It is next submitted that similarly situated co-accused person, namely, Jai Shree Devi has been granted bail by co-ordinate Bench of this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 3044 of 2024. It is lastly submitted that the petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has clean antecedent and they are in custody since 18.09.2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail and have stated that various injuries have been inflicted in the assault committed by the petitioners and others and one of the injured, namely, Geeta Devi, had also suffered grievous injury, though the same has been attributed to one Jai Shree Devi.

6. Considering the aforesaid facts and circumstances



of the case and also taking into account the fact that injuries sustained by the injured persons were simple in nature and there are general and omnibus allegations against the petitioners and the injury report does not support the factum of the prosecution case, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Tajpur (Halai O.P.) P.S. Case No. 529 of 2023.

7. The application stands allowed.

(Sourendra Pandey, J)

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