

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42568 of 2014

Arising Out of PS.Case No. -80 Year- 2014 Thana -SARAI District- VAISHALI(HAJIPUR)

Mithilesh Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh-Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

05 06-05-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Informant, Jitendra Kumar while was in a way, met
with Shivji Rai, Shiv Balak Rai, Ramji Rai, Mukesh Rai, Sanjiv
Sharma, who began to abuse and on protest, they assaulted with
Lathi, Danda and *Rod*, threw him on ground and then, Shivji Rai
gave brick blow on account of which, there happens to be fracture
of rib. Blood oozen from his mouth. During midst thereof, it has
been alleged that Mithilesh Rai (petitioner) came over tractor and
on an order of Shivji Rai, dashed against him on account of which,
his hands sustained fracture. Mohan Rai came in his rescue, who
was also assaulted with *Lathi, Danda*. Mukesh Rai gave knife
blow over head. Mithilesh Rai (petitioner) also snatched away one
golden chain, at that moment Sanjiv Sharma, owner of tractor was

also present.

From Paragraph-36 of the case diary as well as from the injury report having attached with the carbon copy of case diary suggest absence of external injury over the person of informant, Jitendra Kumar.

Accordingly, petitioner, **Mithilesh Rai** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Afjal Alam, Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Sarai P. S. Case no.80 of 2014, in event of his arrest/ surrender within four weeks subject to condition as enumerated under Section 438(2) of the Cr.P.C.

Vikash/-

(Aditya Kumar Trivedi, J)

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