

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1270 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -DORIGANJ District- SARAN

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Bhawani Rai @ Rajesh Rai, S/o Shri Kalika Rai, Resident of Village-
Badalpura, Dariyawganj, P.S. Doriganj, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar

For the Opposite Party : Mr. Smt. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 02-03-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Doriganj
P.S. Case No.52 of 2015, registered under Sections 147, 148,
149, 341, 323, 324, 302, 307 and 504 of the Indian Penal Code
and Section 3(ii)(v) of Schedule Caste and Schedule Tribes
(Prevention of Atrocities) Act, 1989

The accusation is that all the seven accused persons
including the petitioner were raising boundrywall on a disputed
land on which the litigation was going on in between the
informant and accused persons, when father of the informant
obstructed then co-accused Rajesh Kumar and Sushil Kumar
assaulted him by means of knife, later on in course of treatment
the father of the informant died.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner. Further submission is that, in fact, due to land dispute, occurrence took place in which father of the informant sustained injury. Further submission is that on the basis of the written report of co-accused Kalika Rai, Doriganj P.S. Case No. 53 of 2015 has also been instituted in which Timil Rai, Rajesh Rai, Kaushal Kumar, Sushil Kumar sustained injuries. Further submission is that petitioner having no criminal antecedent and he is in custody since 11.07.2015 and similarly situated co-accused, Kalika Rai and Timal Rai have already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 23.11.2015 passed in Criminal Misc. No. 47931 of 2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Doriganj P.S. Case No. 52 of 2015.

(Rajendra Kumar Mishra, J)

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