

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40262 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Police Rai Son of Late Rudal Rai, R/o Village- Laxmipur Gadariya, P.S.-
Turkaulia, (Raghunathpur O.P.), District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 06-11-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Turkaulia
(Raghunathpur O.P.) P.S. Case No. 106/2017, for the offences
punishable under Sections 147, 148, 149, 307, 326(A), 341, 323,
324, 379, 380, 435, 504 and 506 of the Indian Penal Code.

The prosecution case as lodged by the informant is that
while he and his cousin uncle were in the field for construction of
hut, the petitioner side raised objection and hit the informant and
other persons of the informant side by means of Farsa, Garasa and
Lathi. Specific allegation is upon the petitioner that he gave Farsa
blow on the head of Rajendra Rai.

It has been submitted by the learned counsel for the



petitioner that he is innocent and matter relates to civil dispute. He submits that some of the injuries have been found to be simple in nature and for other injuries opinion has been reserved. There is no repetition of blows and that one of the accused who had given Farsa blow on the head of the informant has been granted pre arrest bail. He further submits that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses and the petitioner is languishing in judicial custody since 03.06.2017.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner has given Farsa blow on the vital organ.

Considering the facts and circumstances and materials on record, let the petitioner named above, be enlarged on bail on completion of six months in custody, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari (East Champaran) in connection with Turkauliya (Raghunathpur O.P.) P.S. Case No. 106/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if the petitioner is found to have indulged in similar offence in future, the prosecution will be at liberty to move the



learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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