

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30059 of 2018

Arising Out of PS.Case No. -261 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Laibabu Rai, Son of Late Rudal Rai, Resident of Village- Basantepur, P.S.-
Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 261 of 2017 registered for offences punishable
under sections 341, 342, 323, 307, 379, 504, 506/34 of the Indian
Penal Code and section 3/4 of the Witchcraft Act.

The allegation as per FIR is that this petitioner and
four others named in the FIR armed with lethal weapons came
over the land of informant and started ploughing. On the protest of
informant and his family members, the accused person brutally
assaulted them. The allegation against this petitioner is that he had
assaulted the brother of informant by iron rod which caused
fracture injury on his person.



It has been submitted that both the parties are agnates and there is a bona fide land dispute between the parties. The allegation of assault and snatching money and a gold chain from the brother of informant is omnibus. The petitioner is in custody since 01.02.2018 having clean antecedent.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Muffasil P.S. Case No. 261 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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