

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69066 of 2018

Arising Out of PS. Case No.-395 Year-2018 Thana- MADHAURAH District- Saran

Sonalal Rai Son of Kisuni Rai Resident of Village-Sabajpur,P.S.
Madhaura,Distt.-saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Marhaura P. S. Case No.
395 of 2018 instituted for the offence under Section(s) 147,
148, 149, 323, 324, 325 and 307/506 of the Indian Penal Code.

Allegation against this petitioner in the written report
is of assaulting the brother of the informant , namely, Jitendra
Rai, on head on account of which he sustained injury.

Case diary has been received, wherein, the doctor has
found (i) sharp cut head injury on right side temporal region,
(ii) lacerated wound on right frontal part of head size of 1 ½”x
¼” and (iii) swelling of right upper arm. The doctor has opined
the injury no.1 to be grievous in nature whereas injury nos. 2
and 3 are said to be simple in nature .



Learned counsel for petitioner submits that there is case and counter case between the parties.

The instant case is counter blast of Marhaura P.S. case no. 303 of 2018 lodged by petitioner against the informant and others. It is also submitted that informant and petitioner are agnate and land dispute are going on between the parties.

From the FIR itself it does not appear that specific allegation is attributed to this petitioner of causing injury to Jitendra Rai because no any description of the weapon used in assaulting the brother of the informant is mentioned.

Petitioner is in custody since 24.9.2018.

Considering the aforesaid, let the petitioner, above named, 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 the ACJM VIII, Saran at Chapra, in connection with Marhaura P. S. Case No. 395 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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