

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6563 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- PATORI District- Samastipur

Rudal Ray, aged about 58 years, (Male) son of Late Nunu Ray, Resident of
Village- Hetanpur, P.S.- Patori, District- Samastipur

.. ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Patori P.S. Case No. 356 of 2018 registered for the offences
punishable under Sections 147, 149, 307, 323, 325, 341, 379, 504
of the Indian Penal Code and Section 25(1-b)a of Arms Act and
Section 30(a) of Bihar Prohibition and Excise Act.

Informant in his written complaint has stated that on
23.10.2018 while his brother was returning to his house then
petitioner and his two sons Ajeet Kumar and Anuj Kumar and 4-5
unidentified persons surrounded his motorcycles and from iron
rod assaulted on his head as a result of which his left hand was
fractured thereafter on his forehead Mohan Ray assaulted by butt
of the pistol as a result of which he fell down. They also snatched
away cash and golden chain from his brother.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no specific allegation against petitioner of assaulting the brother of informant. The allegations are general and omnibus in nature. There is case and counter case and petitioner's case is earlier in time. He has no criminal antecedent and is in custody since 22.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Samastipur, in connection with Patori P.S. Case No. 356 of 2018 (G.R.No. 2542 of 2018), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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