

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28610 of 2019

Arising Out of PS. Case No.-479 Year-2018 Thana- DHAKA District- East Champaran

Vindeshwar Ray @ Bindeshwari Rai Son of Late Laxman Rai Resident of
Village - Basahiya, P.S.- Dhakha (Pachpakakri), Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 09-05-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends his arrest in connection with
Dhaka (Pachpakakri) P.S. Case No. 479 of 2018 registered for
the offence punishable under Sections 147, 149, 341, 447, 323,
324, 325, 307, 379, 504 and 506 of the Indian Penal Code.

Petitioner along with other accused persons armed
with deadly weapons descended and on the order of the
petitioner, the other accused persons assaulted several persons.
Petitioner and accused Ranjeet Rai, Ramesh Rai and Sujeet Rai
are also said to have assaulted the injured inflicting injury on
their back, hand and leg.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to land dispute. There is case and counter case between the parties. There was free fight between the parties and persons of both the parties have sustained injury in the occurrence. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is said to have assaulted the victims on their non-vital part by means of lathi along with other accused persons. Petitioner is aged about 75 years having no criminal antecedent. Other co-accused, namely, Shiv Pujan Rai and Prem Rai have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.05.2019 passed in Cr. Misc. No. 28689 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka in connection with Dhaka (Pachpakakri) P.S. Case No. 479 of



2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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