

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31559 of 2019**

Arising Out of PS. Case No.-170 Year-2017 Thana- ISUAPUR District- Saran

SURENDRA RAI @ SURENDAR RAY, (M), aged about 62 years, S/o Late Turi Rai, R/o Village- Usuri Kala, P.S.- Isuapur, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gajendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 13-05-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 21.02.2019 in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 448, 379 and 504 of the IPC.

The prosecution story, in brief, is that on 25.08.2017, the informant came to his house. Suddenly, accused Satyendra Rai assaulted with Farsa on his head due to which the head of the informant was cut and blood started oozing out. This petitioner Surendra Rai assaulted with Lathi on the shoulder of the informant and snatched Rs. 2,000/- from his pocket. It is further alleged that earlier this petitioner and others entered and this petitioner has assaulted with Farsa on the head and shoulder of the wife of the informant due to which her head cut and when the family members of the informant tried to save them, the



accused persons also assaulted them with different weapons.
The reason behind the occurrence is alleged to be land dispute.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Single Lathi blow has been given on the shoulder of the victim. No repetition is alleged against the petitioner. No offence under Section 307 of the IPC is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of six months in custody on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saran at Chapra, in connection with Isuapur P.S. Case No. 170 of 2017.

(Sudhir Singh, J)

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