

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62815 of 2019

Arising Out of PS. Case No.-841 Year-2018 Thana- TURKAULIYA District- East
Champanan

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RAJESHWAR RAI, aged about 25 years (M), Son of Bhikhu Rai @ Bhikhu
Yadav, Resident of Village- Shankar Saraiya Parsauna, P.S.- Turkauliya,
District- East Champanan.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr.Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323, 324, 325, 307, 379, 504/34
of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 08.12.2018
while the informant was at his Gowas, accused persons
including the petitioner came with weapons and attacked on the
informant and his son. Accused Lallan Yadav assaulted the
informant's son by Sarhat on his chest causing bleeding injury
and accused Rajendra Rai assaulted him by Farsa on his head
causing cut injury. When the informant, his son and father came
to rescue, accused Ramesh Rai gave knife blow on the



informant causing cut injury on his lip and nose and Rajeshwar Rai (petitioner) gave Lathi blow on his hand causing fracture injury. Accused Nawal Rai assaulted the informant's son by Lathi on his head causing bleeding injury. Accused persons also assaulted the informant and his father by Lathi and Fatha. When nearby persons rushed in rescue, accused Vinod Rai opened firing from pistol and he also took away Cycle of the informant worth Rs. 3,000/-. Petitioner also snatched silver Hasuli of informant's wife worth Rs. 10,000/-.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 20.07.2019. The petitioner has got no criminal antecedent. 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. Injury is on non-vital part of the body of the victim. No offence under Section 307 of the IPC is made out. Both parties are agnates.

On behalf of the State, it is 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 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., East Champaran at Motihari, in connection with Turkauliya P.S. Case No. 841 of 2018.

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(Sudhir Singh, J)

