

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24631 of 2020

Arising Out of PS. Case No.-136 Year-2020 Thana- MANER District- Patna

MISHRI LAL RAI Son of Late Suryadev Rai Resident of Village- Sarai
Mohalla Maner, P.S.- Maner, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr. Advocate

Mr. Indu Bhushan, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

For the Informant : Mr. Ajay Kumar Jain, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 02-12-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Nand Kumar, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Maner PS Case No. 136 of 2020 registered under Section 341, 323, 354, 307, 504 and 506/34 of the



IPC.

The prosecution case alleges assault by sharp cutting weapon upon head of one Raj Lakshmi Devi by the petitioner.

Learned Senior Counsel for the petitioner draws attention of the court towards injuries which have been found as per case diary received in the instant case and submits that the same are not grievous in nature. Be that as it may, it is his submission that the injuries have been sustained in a scuffle owing to some dispute between the prosecution party and the petitioner, who are neighbours. The issue stands compromised on restoration of harmony between the parties.

Learned Counsel for the informant confirms the said position upon instruction from the informant.

Learned APP for the State has also placed his submissions.

The petitioner, as per statement in the petition, submits that he is accused in some other cases also but in view of the compromise in the instant case his prayer for bail be considered having regard to the fact that he is also in custody since 23.4.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

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 Ms. Nutan Kumari, Judicial Magistrate, 1st Class, Danapur, Patna in Maner PS Case No. 136 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform



the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

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(Madhuresh Prasad, J)

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