

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79717 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- BARHAT District- Jamui

SAMAR RAI, aged about 45 years, Male, Son of Late Paras Rai Resident of
Village - Tenghara, P.S.- Barhat, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 18-06-2020 Heard learned counsel for the petitioner as well as
learned A.P.P.

During course of casting roof by the prosecution party, the accused persons protested by saying that the same be effected after measurement, whereupon hot discussion took place and during course thereof, all the accused persons armed with Khanti, iron rod, axe, knife assaulted the informant. When her husband came in rescue he was assaulted by Samar Rai (petitioner) over his head while her daughter Soni Kumari was assaulted with knife by Ranjit Rai and during course thereof, her brother Tuntun Rai, Prakash Rai, Dablu Rai have also been assaulted.

In the case diary two kinds of materials have been collected.

The earlier part consists there was insistence at the end of



the accused persons for getting the land measured, both the parties brandished their weapon causing injury to both sides. However, in paras 30, 31 and onward injured have been examined, who substantiated the prosecution version. Five injuries have been found over the person of Bhuneshwar Rai, out of which injury nos. 3, 4 and 5 are pain while injury nos. 1 and 2 are lacerated simple in nature. From the X-ray on account of fracture of index finger, injury no.3 has been categorized as grievous. From the order impugned, it is evident that the others have already been granted anticipatory bail.

That being so, let the petitioner Samar Rai, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Jamui in Barhat P.S.Case No. 48/2019, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J)

Surendra/-

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