

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14814 of 2021**

Arising Out of PS. Case No.-186 Year-2019 Thana- SONBERSA District- Sitamarhi

SITARAM RAI Son of Late Neki Rai Resident of Village- Sangrampur, P.S.-  
Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

For the Opposite Party/s : Ms. Puspa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      25-08-2021                      In view of sudden resurgence of COVID – 19  
infection there is limited functioning of the High Court and  
therefore the matter has been listed for consideration through  
virtual mode.

Heard learned counsel for the petitioner and learned  
APP 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 connection with Sonbarsa P.S.  
Case No. 186 of 2019 registered under Sections 341, 323, 324,  
379, 354, 504, 506, 307 and 34 of the Indian Penal Code.

Petitioner is stated to be around 60 years old. He has



remained in custody now since 11.8.2019, i.e., more than two years. The allegation is that along with other co-accused petitioner has assaulted the informant and members of his family. There is also alleged loot of some articles.

The learned counsel for the petitioner submits that allegations have to be viewed with the facts in background that prior to the lodging of the instant case the accused side has lodged one FIR bearing Sonbarsa P.S. Case no. 179 of 2019. The parties admit that there is subsisting land dispute and the FIR has been lodged eight days after the alleged occurrence, the submission is of false implication. The submission is that in a free fight between the parties the injury, if at all, was sustained. The petitioner also has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. 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 Additional Chief Judicial Magistrate-IV, Sitamarhi in Sonbarsa P.S. Case No. 186



of 2019, 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.

**(Madhuresh Prasad, J)**

SUMIT/-

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