

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24522 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- BHAIKAVSHTHAN District- Madhubani

UPENDRA RAY Son of Utticht Ray Resident of Village - narayanpur, P.S.
Bhairav Asthan, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhairav Asthan P.S. Case No. 59 of 2020 (G.R. Case No. 657 of 2020) registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 302, 337, 448, 504, 354 and 506 of the Indian Penal Code.

As per the prosecution, eleven accused persons having armed with deadly weapons assaulted the father of the informant and his family members as a result of which



they sustained injuries.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has not committed any offence, In fact, there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. Moreover, co-accused, namely, Rajeshwar Ray, Binod Ray @ Binod Kumar Ray and Rohit Ray @ Rohit Kumar Ray having more or less similar allegations have already been granted regular bail by a co-ordinate Bench of this Court vide order dated 09.10.2020 passed in Cr. Misc. No. 25493 of 2020. The petitioner is rotting in judicial custody since 19.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur, Madhubani in connection with Bhairav Asthan P.S. Case No. 59 of 2020 (G.R. No. 657 of 2020) subject to the following conditions:

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rajesh Kumar Verma, J)

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