

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32147 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- NAUBATPUR District- Patna

Anil Rai @ Anil Kumar @ Anil Roy Son of Beni Prasad Resident of Village -
Ghanshyampur, P.S.- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
For the Informant	:	Mr. Satish Chandra, Advocate
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Naubatpur P.S. Case No. 248 of 2020 instituted for the offences
under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 28.08.2020, charge-sheet has been
submitted in the case and has got criminal antecedents as
mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that
allegation against this petitioner is of assault on deceased by
knife on his thigh on account of a previous dispute as it is



alleged that the nephew of the deceased was killed by the accused persons of the present F.I.R.

Learned counsel for the petitioner submits that allegation of assault is on the non-vital part of the body. The deceased had criminal antecedents as mentioned in paragraph '9' of the bail application. It is further submitted that co-accused Gaya Rai @ Gaya Prasad was granted bail by order dated 06.08.2021 in Cr. Misc. No. 8808 of 2021, Rahul Kumar and Rohit Kumar were granted bail by order dated 10.02.2021 in Cr. Misc. No. 39275 of 2020 and Santosh Kumar was granted bail vide order dated 09.12.2021 in Cr. Misc. No. 31172 of 2021. Learned counsel further submits that the allegation of assault leading to death is on Ajit who is alleged to have assaulted by *farsa* on head of the deceased.

Learned counsel for the informant opposes the prayer for regular bail of the petitioner and submits that this petitioner also assaulted by knife on thigh of the informant but is not able to meet the contention of the learned counsel for the petitioner that it was not on the vital part of the body and was so dangerous that it could have taken life of the deceased.

Learned A.P.P. for the State also vehemently opposes the prayer for regular bail of the petitioner.



Considering the fact that the petitioner is in custody since 28.08.2020, charge-sheet has been submitted in the case and the co-accused have been granted bail as aforesaid, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Danapur, Patna in connection with Naubatpur P.S. Case No. 248 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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