

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32083 of 2021

Arising Out of PS. Case No.-440 Year-2020 Thana- KAHALGAON District- Bhagalpur

JAWAHAR RAY S/o Late Manohar Ray R/o Mohalla- Shyampur, P.S.-
Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijendra Kumar, Advocate
For the State	:	Mr. Choubey Jawahar, APP
For the Informant	:	Dr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and sections 3 and 4 of the Explosive Substance Act.

As per the prosecution case, while the informant was returning, it is stated that the seven named accused persons including the petitioner herein threw bomb on them as a result of which they were injured. The cause of occurrence is stated to be that the accused had made a demand of rangdari from the employer of the informant and on having refused, this attack took place.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. The injuries have been found to be simple in nature. The petitioner is in custody



since 30.9.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner is named in the FIR, he is accused in large number of cases, details of which have been given in paragraph no. 3 of the petition. It is on refusal to pay the rangdari demanded by him that the occurrence was given effect to. The injury report supports the allegations made in the FIR and the report of the FSL confirms the attack by bomb.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 1 year and the injuries having been found to be simple in nature, the Court directs the petitioner to be enlarged on bail in connection with Kahalgaon P.S. Case no. 440 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

