

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32325 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- MAHESI District- East Champaran

MUNNA RAY Son of Lakhidra Ray @ Sadhu Ray Resident of Village-
Harpurnag, Police Station- Meshi, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection with Mahesi P.S.
Case no. 110 of 2020 registered for the offence punishable
under sections 341, 323, 354A, 504, 307 and 302/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 20.4.2020, is person with clean
antecedent and charge sheet has been submitted. Petitioner is
own nephew of the informant and allegation in the FIR is of
assault by this petitioner to the wife of the informant. It is
alleged that this petitioner assaulted wife of the informant
indiscriminately with iron rod along with other accused persons
on account of which wife of the informant sustained injury and



died during course of treatment. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant has alleged that the occurrence took place on account of land dispute as the informant and side of the petitioner are related, learned counsel further submits that they stayed in the same house and further it is submitted that it does not stand to reason that if petitioner has any dispute, no purpose would be served by assaulting and killing the deceased. Learned counsel submits that since scuffle was going on between side of the petitioner and the informant and the deceased came between them for pacifying the issue but it seems that she was pushed and she died on account of fall with force on the ground. Learned counsel submits that if what has been alleged in the FIR is true then definitely deceased would have been inflicted with external injury but no external injury has been found on the body of the deceased and the occurrence took place on account of land dispute.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner are related, there is land dispute between themselves and no purpose would be served by killing the deceased, petitioner is a person of clean antecedent and is in jail custody and charge sheet having been



submitted, the petitioner is directed to be released on bail on
furnishing bail bonds of Rs 20,000/- (twenty thousand) with two
sureties of the like amount each to the satisfaction of the Addl.
Chief Judicial Magistrate VI, East Champaran at Motihari in
Mahesi P.S. Case no. 110 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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