

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31948 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- JURAWANPUR District- Vaishali

SUBODH RAI Son of Baleshwar Rai Resident of Village- Paharpur, P.S.-
Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Advocate
For the informant	:	Mr. Santosh Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioner, Mr. Santosh Kumar Sinha, learned counsel for the informant and Mr. Ashok Kumar Nityanand, learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Jurawanpur P.S. Case No. 121 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The prosecution story as per the First Information Report is that the petitioner along with other accused persons surrounded the house of the informant and two accused persons named in the First Information Report fired, due to which, two



persons from the side of the informant received injuries. The allegation against the petitioner is that he allegedly assaulted one Savitri Devi by means of *lathi*, due to which, she received injury.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute inasmuch as both the parties are co-villagers and there is previous land dispute between them. Learned counsel further submits that there is case and counter case between the parties for the occurrence which has taken place on the same date and time, for which, Jurawanpur P.S. Case No. 120 of 2020 has been lodged by the petitioner against the informant and others. Learned counsel next submits that no injury report of the lady Savitri Devi has been brought on record by the prosecution before the court below and the petitioner is in custody since 2.3.2021 having no criminal antecedent.

On the other hand, learned counsel for the informant submits that the petitioner is named in the First Information Report and he has assaulted the lady by means of lathi and, as such, he does not deserve bail.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the



nature of allegation and the fact that no injury report has been brought on record by the side of the prosecution, the petitioner is in custody since 2.3.2021 having no criminal antecedent, there is land dispute between the parties and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur, in connection with Jurawanpur P.S. Case No. 121 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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