

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42492 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- KAMTAUL District- Darbhanga

Vijay Ray Son of Mr. Ram Nihora Ray Resident of Village- Khajurwara, P.S.-  
Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                   |
|--------------------------|---|-------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Thakur<br>Ms. Vaishnavi Singh<br>Mr. Ritwik Thakur |
| For the Informant        | : | Mr. Saroj Kumar                                                   |
| For the Opposite Party/s | : | Mr. Mohammad Sufyan                                               |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      28-10-2021      Heard both parties.

The petitioner seeks bail in Kamtaul P.S. Case No. 40 of 2021, registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence while the informant along with his wife going home on motorcycle, 08 FIR named accused persons including petitioner alongwith 10-11 unknown persons intercepted the informant and thereafter, assaulted him by *Bhala*, *Farsa*, *Lathi* and *rod*.

It is further alleged that on the order of Nand Nihora Ray other co-accused assaulted the informant. This petitioner along with two others are alleged to have caught hold of the



deceased.

It is submitted on behalf of the petitioner that as per the FIR petitioner is not the assailant of the deceased. He is only said to have caught hold of the deceased along with other co-accused. Petitioner has been falsely implicated in this case due to land dispute. Petitioner is in custody since 24.03.2021. Investigation is complete.

Counsel for the State vehemently opposed the bail application and submitted that earlier also this petitioner assaulted the informant and others for which a separate FIR was lodged and this petitioner participated in the commission of offence.

Considering the nature of allegation and period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 40 of 2021.

**(Prabhat Kumar Singh, J)**

vinita/-

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