

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4903 of 2021

Arising Out of PS. Case No.-69 Year-2019 Thana- DHOLBAJJA District- Bhagalpur

Rajesh Ray S/o Kankir Ray R/o Kedwa Pratap Nagar, P.S.- Dholbajja
(Kadwa), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar
For the Informant	:	Mr. Binoy Kumar
For the Opposite Party/s	:	Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard both parties.

The petitioner seeks bail in Dholbajja (Kedwa) P.S.
Case No. 69 of 2019, registered for the offence punishable
under Sections 147, 148, 149, 341, 323, 325, 307 and 34 of the
Indian Penal Code.

As per the prosecution case, the incident took place on
account of dispute between the parties over grazing of field by
she-goat. Petitioner is alleged to have assaulted Manoj Singh by
lathi causing grievous injury on his head.

It is submitted on behalf of the petitioner that there is
case and counter case. Admittedly, dispute took place between
the parties over petty dispute. There is no repetition of blows.
Petitioner claims clean antecedent and he is in custody since



25.07.2020. Chargesheet has already been submitted.

Counsel for the informant vehemently opposed the prayer for bail and submitted that there is specific allegation of assault against this petitioner causing grievous injury and life threatening to Manoj Singh.

Considering the fact that there is land dispute between the parties and case and counter case coupled with the fact that petitioner claims clean antecedent, 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 Ist Class, Naugachia, Bhagalpur in connection with Dholbajja (kedwa) P.S. Case No. 69 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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