

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38995 of 2020

Arising Out of PS. Case No.-376 Year-2019 Thana- BHAGWAN BAZAR District- Saran

RAJA RAI, son of Ratan Ray, Resident of Mohalla- Sat Gharwa Chhota
Brahmpur, P.S.- Bhagwan Bazar, District- Saran ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Aryan Sinha, Adv.
For the Opposite Party : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its note, dated 23.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Bhagwan Bazar P.S. Case No. 376 of 2019, registered under Sections 147, 148, 341, 307, 323 and 504 of the Indian Penal Code.

The accusation is that due to land dispute, nine persons, named in the first information report, including the petitioner, having rod, stick and brick in their hands came at the door of the informant and started to cause assault by the rod, stick and pelting bricks. In that course, Langar Rai pelted stone, which hit at the head of the informant, Ram Pravesh Rai.

Submission is that while the petitioner is named in the



first information report along with nine others, but, no specific overt act has been attributed against the petitioner as specific allegation is against Langar Rai for pelting stone causing head injury at the head of the informant. However, five injuries were found on the person of the informant, which are simple in nature and head injury is lacerated injury on the right parietal region, which is attributed against Langer Rai, which is also simple in nature.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Bhagwan Bazar P.S. Case No. 376 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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