

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6950 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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TRIBHUWAN RAY @ TRIBHUSHAN RAY Son of Late Yogendra Ra
Resident of Village- Hilalpur, P.S.- Hajipur Industrial Area, District- Vaishali
at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra, Adv

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 30-06-2021 Heard learned counsel for the parties.

Petitioner seeks bail in **Hajipur Industrial Area P.S**
Case No. 103 of 2020 registered for the offence punishable
under Sections 341, 323, 324, 326, 307/34 of the Indian Penal
Code.

Allegation against the petitioner is of assaulting the
uncle of Informant by means of *Sickle as well as lathi* on
account of which he sustained multiple grievous injuries on his
head.

Learned counsel for the petitioner submits that petitioner
is innocent and has been falsely implicated in this case due to
animosity. It has been further submitted that the parties are
agnates and there is land dispute going on between the parties

for partition of ancestral property. Petitioner has got no criminal antecedent and is in custody since 10.10.2020.

From perusal of injury report, it appears that the injury sustained by uncle of the Informant has been found to be grievous in nature, as such I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that **petitioner named above be released on bail after completing one year of judicial custody**, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Hajipur Industrial Area P.S Case No. 103 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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