

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8926 of 2021

Arising Out of PS. Case No.-755 Year-2019 Thana- GARKHA District- Saran

1. KRISHNA RAY SON OF LATE RAM NARAYAN RAY R/o village- Pohiya, P.S.- Garkha, District- Saran
2. BABAN RAY SON OF LATE RAM NARAYAN RAY R/o village- Pohiya, P.S.- Garkha, District- Saran

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Advocate

For the Opposite Party/s : Mr. Matlub Rab, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioners and the learned APP for the State.

This Court would expect that the petitioners' Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Garkha PS Case No. 755 of 2019 registered under Sections 341, 323, 324, 325, 307/34 and 504 of the IPC.

Petitioners are accused for having assaulted the informant by various means.

It is submitted by petitioners' Counsel that the informant and petitioners are full brother. In course of investigation fact has surfaced regarding subsisting dispute for land and it is submitted that normalcy has been restored within the family and a compromise petition has also been filed in the court below. The same has been placed on record by way of supplementary affidavit. Allegation of



assault by sword stands belied by the injury report which shows the injuries to have been sustained by hard blunt substance. Petitioners are in custody since 19.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM XVI, Saran at Chapra in Garkha PS Case No. 755 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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