

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16631 of 2022

Arising Out of PS. Case No.-217 Year-2020 Thana- TARAIIYA District- Saran

1. ADALAT RAI Son of Late Ram Swarup Rai Resident of - Village Sitalpatti, P.S. - Taraiya, District - Saran.
2. VIKASH RAI @ VIKASH KUMAR RAI Son of Mr. Adalat Rai Resident of - Village Sitalpatti, P.S. - Taraiya, District - Saran.
3. MALAWATI DEVI wife of Mr. Adalat Rai Resident of - Village Sitalpatti, P.S. - Taraiya, District - Saran.
4. MANJU DEVI wife of Mr. Manoj Rai Resident of - Village Sitalpatti, P.S. - Taraiya, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the informant	:	Mr. Jeetendra Narayan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioners have preferred this application for grant of regular bail in a case registered under sections 341, 323, 324, 307, 354, 379, 505, 506/34 of the Indian Penal Code.

As per the prosecution case, the petitioners and co-



accused persons armed with lathi, danda, rod, Tangi came and started assaulting the informant and when the informant's wife came to rescue her husband, co-accused Manoj Rai assaulted on the head of the informant's wife Ramawati Devi with intention to kill her and due to which Ramawati Devi sustained severe head injury. Manisha Kumari and Suman Devi were also assaulted.

Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case due to land dispute. There is general and omnibus allegation against the petitioners to assault the informant. There is specific allegation against the co-accused person, namely, Manoj Rai, who inflicted blow of Tangi on the head of the informant's wife causing severe injury to her. The petitioners have clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 09.12.2021. Learned counsel for the petitioners has further submitted that during the course of treatment, Ramawati Devi succumbed to the injury.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances as well as nature of allegation, the petitioners above-named, are



directed to be enlarged on bail on their furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Saran at Chapra, in connection with Taraiya. P.S. Case No. 217. of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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