

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31518 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- BHAIKAVSHTHAN District- Madhubani

RAMBALAK RAY Son of Ramdev Ray Resident of Village - Narayanpur,  
P.S. - Bhairav Asthan, District - Madhubani.

... .. Petitioner/s  
Versus  
The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash, Advocate  
For the State : APP  
For the Informant : Mr. Sunil Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      06-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, over a dispute between the parties it is stated that the eleven named accused persons were called and thereafter on the orders of the accused Ram Deo Rai, the petitioner armed with farsa, Rahul Rai with dabia and Janak Lal Rai with an axe brutally assaulted the father of the informant as a result of which he was seriously injured and fell on the ground.

It is submitted by learned counsel the petitioner that the petitioner has been falsely implicated in the case. No such



occurrence as alleged has taken place. The same would also be evident from the contents of the postmortem report (Annexure-2) of the father of the informant from perusal of which it would transpire that the injuries found on the body of the deceased were two abrasions and one stitched wound on the scalp. It is further pointed out that the doctor was of the opinion that injury nos. 1 and 2 were caused by hard and blunt object and its impact and so far as the injury no. 3 was concerned, it was stated that opinion with respect to the same can be obtained from the surgeon concerned. It is submitted that the postmortem report does not support the allegations leveled in the FIR. The petitioner is in custody since 25.1.2021 and charge sheet has been submitted in the case. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant who submits that not only the petitioner is named in the FIR but there is direct allegation of overt act against him of having assaulted the father of the informant.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the contents of the postmortem report and charge sheet having been submitted in the case, the Court directs



the petitioner to be enlarged on bail in connection with Bhairavsthan P.S. Case no. 59 of 2020 (G.R. Case no. 657 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Jhanjharpur, District Madhubani.

**(Partha Sarthy, J)**

Prakash/-

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