

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26553 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- MAJHAULIA District- West Champaran

Nasrullah Rai Son Of Bhola Rai R/O- Vill- Nautan Khurd, Ward No. 3, P.S.-
Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-06-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Dhurendar Kumar, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks regular bail in a case registered in connection with Majhauriya P.S.Case No. 120 of 2022 for the offences punishable under Sections 341, 323, 324, 354(B), 379, 307, 504/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 17.02.2022 at about 8:00A.M, on account of trifling matter , accused persons started assaulting the daughter of the informant by fists and slaps. It is further alleged that the



petitioner along with other accused persons came there armed with lathi , Farsa and Gadasi and on the order of Jagan Rai, Saheb Rai gave Farsa blow on the head of the informant's daughter. It is further alleged that other accused persons assaulted the wife of the informant and snatched her ornaments.

It is submitted by the learned counsel for the petitioner that the petitioner as well as informant are own Gotiyas and in fact, on account of trifling matter, free fight has been taken place. It is further submitted that the instant case is, nothing but counter blast of Majhauriya P.S. Case No. 116 of 2022 lodged by the wife of the petitioner. It is further submitted that no act of assault is attributed against the petitioner. So far as the other allegation is concerned, the same appears to be exaggerated. It is lastly submitted that specific allegation of Farsa blow is attributed against Saheb Rai. Petitioner having clean antecedent.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that there is delay in



lodging of the FIR in as much as prior to the institution of the present case, the wife of the petitioner lodged Majhauriya P.S. Case No. 116 of 2022 and the specific allegation is attributed against Saheb Rai, moreover, petitioner is in custody since 16.03.2022, having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 120 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will be liable



to be cancelled.

(Harish Kumar, J)

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