

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46746 of 2021

Arising Out of PS. Case No.-92 Year-2021 Thana- KESARIA District- East Champaran

BAIDNATH RAI son of Late Vishuni Rai Resident of Village - Bijdhari, P.S.
Kesariya, District - East champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2022 Heard learned counsel for the petitioner, the State
and the informant.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 307/34 and other
ancillary sections of the Indian Penal Code.

Prosecution case is that petitioner inflicted knife blow
on the chest of the informant causing injury on the chest.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Present case is counter blast of Kesariya Police Station
Case No. 75/2021 lodged by the petitioner against the
informant and others. It is further submitted that the occurrence
is of 23.2.2021, whereas FIR was lodged on 20.3.2021 and there
is no plausible explanation of delay. Petitioner has got no



criminal antecedent. Injury of the informant was found to be simple in nature.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail.

Considering the nature of allegation and the fact that injury of the informant was found to be simple in nature, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in Kesariya Police Station Case No. 92 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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