

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48811 of 2021**

Arising Out of PS. Case No.-363 Year-2020 Thana- NARPATGANJ District- Araria

RAJA RISIDEV @ RAJA RISHIDEV Son of Nityanand Rishidev Resident of
Village - Deviganj, P.S.- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Narpatganj P.S. Case No. 363 of 2020 instituted for the offences
under Sections 147, 148, 149, 341, 323, 325, 448, 302, 379 and
504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.06.2021, is a person with clean
antecedent and charge-sheet has been submitted in this case.

The informant alleges that on 14.08.2020 at 8 O'clock
in the evening while he along with his family members boarded
on city rickshaw and were coming to their house and reached
near the shop of Ritalal in Deviganj then the petitioner along



with 18 co-accused named in the FIR and some unknown suddenly came out from their hide out variously armed with lathi and rod and brutally assaulted the informant and his family members due to which they sustained serious injuries and fell down and thereafter the accused committed mischief by destroying the household articles causing loss of Rs.1,50,000/- and finally the informant's father Yogi Lal Rideo was brought to the hospital where he succumbed to the injury.

Learned counsel for the petitioner submits that the allegation against the petitioner is general and omnibus in nature and there is no specific allegation of assault against the petitioner. He further submits that there is land dispute between the parties on account of which petitioner has been falsely implicated in the case. Further as per postmortem report only three injuries have been found on the body of the deceased. Learned counsel next submits that similarly situated some other co-accused have been granted bail by a Coordinate Bench of this Court vide order dated 01.06.2021 passed in Cr. Misc. No. 9743 of 2021 (Annexure-3).

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is



a person with clean antecedent, charge-sheet has been submitted, there is no specific allegation of assault against the petitioner and co-accused have been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 363 of 2020.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

