

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38900 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- MAHNAR District- Vaishali

SUKUL RAI Son of Jagarnathi Rai Resident of Village - Lavapur, P.s.-
Mahnar, Dstt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 325, 307, 504/34 IPC.

The allegation against the petitioner is that he along with
other accused persons armed with deadly weapons came at the
door of informant and started demolishing wall of nephew of the
informant and on protest, they indiscriminately assaulted the
informant's side. On the order of petitioner, co-accused Lalan
Rai assaulted the informant on his head.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Allegation against the petitioner is only that he is the order giver. Both parties belong to a common family and there is an admitted land dispute between them. For the alleged occurrence, there is case and counter-case between the parties and both parties have sustained injuries. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mahnar P.S. Case No.213/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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