

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39877 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- RAJNAGAR District- Madhubani

Jairam Mukhiya Son Of Late Rajendra Mukhiya R/O Village- Chakdah, P.S.-
Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate Ms. Nitu Kumari, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 23-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with
Rajnagar P.S. Case No. 309 of 2021 lodged under Sections 341,
447, 504, 354, 323, 324, 308, 379, 427/34 of the I.P.C.

As per prosecution case, the informant has alleged
that on 01.11.2021 ten named accused persons have reached at
her house and started abusing. The allegation against the present
petitioner is that he has attacked by *farsa* on the head of the
informant. Allegation against Vinod Mukhiya is also there to

attack on the son of informant. It is also alleged that when her grandson came then he was also assaulted, by virtue of which the series of persons were injured.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that for the same date and place of occurrence there are case and counter case have been filed, Annexure-1 has been filed by the informant, whereas Annexure-2 was filed by the present petitioner against the informant of the Annexure-1. Learned counsel for the petitioner further submits that the said dispute was due to supremacy, both are agnates and injuries took place from both the sides. They are resident of the same village. By virtue of supplementary affidavit, counsel for petitioner has submitted that the injury report, by which it transpires that the injuries suffered by the petitioner is also grievous in nature. He further submits that petitioner is in custody since 09.03.2022.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this case and vehemently opposes the prayer for bail and submits that there is direct allegation against the present petitioner to attack by *farsa* and the injury is grievous in nature but upon

specific query about Annexure-3, counsel also agreed that injury has taken place from both the sides and both the parties are agnates and residents of same village.

Considering the facts and circumstances of the case and nature of dispute is going on in the family, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Madhubani in connection with Rajnagar P.S. Case No. 309 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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