

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50240 of 2021**

Arising Out of PS. Case No.-209 Year-2021 Thana- GHORASAHAN District- East
Champaran

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RAVINDRA RAI S/o RAMESHWAR RAI R/o VILLAGE-BHASERHAWA,
P.S-GHORASAHAN, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 08-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Ghorasahan P.S. Case No. 209/21, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 387, 379 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding altercation having taken place in between the accused persons and the informant as also his family members on account of land dispute, whereafter the accused persons including the petitioner herein are stated to have assaulted the informant



and his family members as also had set on fire the tractor of the informant. It is also alleged that the co-accused person, namely, Umesh Rai, had also resorted to gunshot firing resulting in the members of the prosecution party sustaining injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 5.6.2021. The learned counsel for the petitioner has further submitted that the petitioner has not been alleged to have engaged in any sort of specific overt act, hence, a general and omnibus allegation has been levelled, thus, he is entitled to be granted the privilege of bail.

Per contra, the learned counsel for the informant, Sri Amitabh Kumar, has submitted that the accused persons are land grabbers, hence, they are required to be dealt with firm hands. It is submitted that the accused persons have also assaulted the informant and his family



members, however, upon a query being put as to what role is attributable to the petitioner herein, the learned counsel for the informant could not show that any specific allegation of any sort of overt act has been levelled against the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the accused persons including the petitioner and as far as the petitioner is concerned, there is no allegation of him having indulged in any sort of specific overt act, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-3, Sikrahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 209/21.

(Mohit Kumar Shah, J)

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