

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59449 of 2021

Arising Out of PS. Case No.-89 Year-2019 Thana- KESARIA District- East Champaran

VINAY RAI Son of Late Kedar Rai Resident of Village - Kushahar, P.S.-
Keshariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Keshariya P.S. Case No. 89/2019, registered for the offence punishable under Sections 147, 148, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The allegation is regarding the accused persons having arrived at the house of the informant, whereafter the co-accused person, namely, Raja Rai had assaulted one Gulab Rai on his head by means of farsa & then the petitioner is alleged to have inflicted farsa blow on the head of the informant, namely, Manoj Kumar. It is also



alleged that the other co-accused persons had also assaulted the informant and his family members.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 7.8.2021. The learned counsel for the petitioner has referred to internal page no. 3 of the impugned order dated 14.9.2021 to show that the injury inflicted on the head and finger of the informant has been found to be simple in nature. It is further submitted that the present case arises out of case and counter case, the counter case having been filed by the petitioner himself. It is also submitted that the incident in question has arisen on account of previous land dispute.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

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 the injury, found on the head of the informant, stated to have been inflicted by the petitioner, has been found to be simple in nature, apart from the fact that the present case arises out of case and counter case and the petitioner is languishing in custody since about six and a half months, 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 Chief Judicial Magistrate, Motihari (East Champaran) in connection with Keshariya P.S. Case No. 89/2019.

Mohit Kumar Shah, J)

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