

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71749 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- RAJEPUR District- East Champaran

AJAY RAI Son of Ramchandra Rai Resident of village - Chakki Bhurkurwa,
P.S.- Rajepur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504, 307 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.09.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that the petitioner along with accused persons came to the house of the informant and petitioner assaulted the informant by *dab* on head causing injury and when his family members came to save him, they were also assaulted and the accused persons snatched a gold chain worth Rs. 19,000/- from the daughter-in-law of the informant and the



reason for the occurrence was that the informant had objected the petitioner from cutting bamboo from his field.

Learned counsel for the petitioner submits that no doubt the occurrence had taken place but the petitioner and the informant are agnates and on account of dispute relating to land, assault from both sides was committed, it is submitted that even presuming what has been alleged is true, without admitting, then there is no allegation of repeated blow. Learned counsel fairly submits that the injury caused to the informant was grievous and on vital part of the body but then the blow was not repeated and the occurrence took place in the spur of the moment and for which the petitioner has remained in custody for nearly eight months and is a person with clean antecedent.

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

Considering the fact that the petitioner is in custody since 08.09.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and it is his first offence, 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 the learned court below where the case is pending/successor court in



connection with Rajepur P.S. Case No. 41 of 2020.

(Satyavrat Verma, J)

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