

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7292 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- GOPALPUR District- Patna

RAJ KUMAR RAI @ RAJ KUMAR Son of Ganga Rai R/v- Bairiya, P.S.-
Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner seeks permission to
make correction in para 3 of this bail application in course of
the day.

Permission is granted.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 323,
325, 307, 506 of the Indian Penal Code.

The prosecution story, in short, is that when the informant
proceeded to distribute marriage card of his sister, the petitioner
along with other accused persons, armed with various weapons,
surrounded him. After some altercation, petitioner caught his
hand from behind and co-accused Chandeshwar Rai, with



intention to kill him, gave him iron blow on his head. They also assaulted the father of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against one Chandeshwar Rai that he gave iron rod blow on the head of the informant due to which he sustained injury, which was found simple in nature. There is admitted land dispute between the parties. It is further submitted that similarly situated co-accused, namely, Chandeshwar Rai, on whom there is a specific allegation of assaulting with an iron rod, has been enlarged on bail by this court vide order dated 25.02.2023 passed in Cr. Misc. No. 68222 of 2022. Petitioner has five criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific allegation against the petitioner, 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 Gopalpur P.S. Case No. 209 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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