

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22557 of 2023

Arising Out of PS. Case No.-39 Year-2021 Thana- GAIGHAT District- Muzaffarpur

BINOD RAI Son of Maheshwar Rai Resident of village-Laxman Nagar, P.S.-
Gaighat, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaighat P.S. Case no.39 of 2021 registered under sections 307, 341, 323, 325, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, over a dispute of cutting bamboo, six named accused persons including the petitioner herein came and started to assault the informant. The petitioner brutally assaulted the informant with an iron rod.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for reasons which are evident from the contents of the FIR itself. Referring to the details of the injury of the informant, attributable to the petitioner as per the allegation in the FIR which has been quoted



in the order of the learned Additional Sessions Judge rejecting the prayer for bail of the petitioner, it is submitted that the same do not support the prosecution case. The petitioner is in custody since 18.1.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the injury report of the informant quoted in the order of the learned trial Court, the petitioner being in custody for 4 months since 18.1.2023, chargesheet having been submitted in the case and his not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Gaighat P.S. Case no. 39 of 2021 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 Judicial Magistrate 1st Class, Muzaffarpur.

(Partha Sarthy, J)

Bibhash

U		T	
---	--	---	--

