

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29287 of 2023

Arising Out of PS. Case No.-185 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

Raghav Jha @ Lala Son Of Bhikhari Jha Resident Of Village - Rasiyari, P.S.-
Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ghanshyampur P.S. Case No. 185 of 2022 registered on
14.07.2022 lodged under Sections 341, 323, 324, 307, 382, 385,
34 of the I.P.C.

As per the prosecution case, F.I.R. has been lodged
against two named accused persons, in which informant has
alleged that the demand of *Rangdaari* has been made by the
petitioner from him and he was assaulted by the petitioner on
his head, due to which bleeding started and petitioner assaulted
at the back of the informant as well, due to which he was

injured.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 15.12.2022 having five criminal cases pending against him, in which he is on bail. He submits that charge sheet has already been filed in this case. He further submits that both the informant and the petitioner belongs to the same family and village and they are well known to each other. He submits that the petitioner gave a loan to the informant and upon demand, he did not return the same and instead filed this criminal case against the petitioner with a view to teach him a lesson.

Counsel submits that major section is under Section 307 and he has annexed the injury report in Annexure-3, by which it is clear that injury is in simple in nature.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate

-IV, Biraul (Darbhanga) in connection with Ghanshyampur P.S. Case No. 185 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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