

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30079 of 2022

Arising Out of PS. Case No.-168 Year-2020 Thana- JALALPUR District- Saran

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1. UPENDRA RAI SON OF RUDAL RAI R/O- VILL- KANHI NOOR NAGAR P.S.- JALALPUR , DIST.- SARAN AT CHAPRA
 2. LALAN RAI SON OF SHIV SAGAR RAI @ SHIVSAGAR RAY R/O- VILL- KANHI NOOR NAGAR P.S.- JALALPUR , DIST.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Binod Singh, Advocate
For the Opposite Party/s	:	Mr.Shyam Kumar Singh, APP
For the informant	:	Mr. Tej Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 19-01-2023 Heard the learned counsel for the petitioners
and the learned APP for the State.

The petitioners seek regular bail in connection with Jalalpur PS case no. 168 of 2020 instituted for the offences punishable under Sections 307 and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons i.e. the petitioners herein having arrived at the house of the informant on 26.08.2020 at about 9 pm, whereafter they had assaulted the informant's family members namely Surendra Rai and Rakesh Ranjan @ Pappu, resulting in them being



inflicted injuries on their chest and forehead.

The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case, they are having clean antecedent and are languishing in custody since 22.02.2022. The learned counsel for the petitioner has further submitted that the injuries found upon the injured persons are simple in nature.

Per contra, the learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail and have submitted that grievous injuries have been inflicted upon the injured persons and to the said effect, the learned counsel for the informant has referred to the supplementary affidavit, filed in the present case, wherein the treatment chart of P.M.C.H. has been annexed pertaining to Surendra Rai and Rakesh Ranjan @ Pappu

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that though the petitioners have been alleged to have assaulted the injured persons, however, in the case



diary, the injury report has been enclosed, a bare perusal whereof shows that the injuries sustained by the injured persons appear to be simple in nature, apart from the fact that the petitioners are having clean antecedent and are languishing in custody since about one year, hence I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIII, Saran at Chapra in connection with Jalalpur PS case no. 168 of 2020.

(Mohit Kumar Shah, J)

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