

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30549 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Rajeshwar Ray Son of Late Jamun Rai R/O Village- Gohada Rupauli, Ward
No.- 1, P.S.- Musharigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 188 of 2023 arising out of Musrigharari P.S.
Case No. 186 of 2022 registered for the offence punishable
under Sections 147, 149, 341, 323, 324, 325, 307, 302, 354,
504, 506 of the Indian Penal Code.

As per prosecution case, the allegation against the
petitioner is that he is the order giver on whose direction other
co-accused had assaulted the son and husband of the informant
and during treatment husband of the informant died.

Learned counsel for the petitioner submits that there
is land dispute between the petitioner and the informant and
there is case and counter case between the parties. He further



submits that similarly situated co-accused persons, namely, Dilip Ray and Piyare Kumar have been granted bail by the learned Court below vide order dated 19.04.2023. Charge-sheet has already been submitted in this case and there is no chance of absconding of the petitioner or tampering with the evidence. Petitioner has no criminal antecedent and is in jail custody since 31.10.2022.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned VIII Additional District and Sessions Judge, Samastipur in connection with Sessions Trial No. 188 of 2023 arising out of Musharigharari P.S. Case No. 186 of 2022 with subject to the following conditions:-

(i) Bailors should be local having sufficient immovable property withing the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason his bail shall be cancelled by the learned Court concerned.

(Sunil Dutta Mishra, J)

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