

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34866 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- DHAKA District- East Champaran

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Santosh Rai son of Nemilal Ray @ Nemeen Lal Rai Resident of Village-
Yadavpur Barbri (Yadapur Bakhari), PS- Dhaka, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner seeks bail in connection with Dhaka P.S.
Case No. 19 of 2023 dated 16.01.2023, instituted for the offence
punishable under Sections 447, 341, 323, 324, 307, 354B, 506, 34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on 15.01.2023 at
about 08.00 pm., the petitioner along with other co-accused persons
armed with Lathi, Farsa and sword came to the informant's house
and gave farsa blow on the head of his son and publicly tore the
clothes of his daughter and also caused injury to her finger by sword.
It has also been alleged that the petitioner was repeatedly giving farsa
blows on the head of the informant's son with intention to kill. It has
also been alleged that the informant was also assaulted which caused
injury on his head and right leg.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to previous enmity and land dispute between the parties. Learned counsel for the petitioner submits that the petitioner and the informant are agnates. Learned counsel for the petitioner submits that injury report shows that assault was caused by hard and blunt objects. Learned counsel for the petitioner submits that there is counter case lodged by the petitioner against the informant side. Lastly, it has been submitted that the petitioner is in custody since 22.03.2023 having one criminal case. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Dhaka, in Dhaka P.S. Case No. 19 of 2023.

(Khatim Reza, J)

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