

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37438 of 2023**

Arising Out of PS. Case No.-295 Year-2022 Thana- BACHHWARA District- Begusarai

Abhishek Rai @ Abhishek Kumar Rai @ Abhishek Kumar Son Of Hukum Rai @ Hukum Ray Resident Of Village- Chiraiyatok, Chamtha- 3, Patni Chowk, Ward No. 12, Ps- Bachhwara, District- Begusarai.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      03-07-2023                      Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bachhwara P.S. Case No. 295 of 2022 registered for the offence under Sections 147/148/149/341/323/307/325/379/504/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 19.03.2023.

The allegation against the petitioner is to assault informant and others by means of lathi, rod, butt of pistol etc., causing several bodily injuries having intention to cause death,



where the reason of the occurrence is not appears explained in the narration of FIR.

Learned counsel appearing on behalf of the petitioner submitted that the allegation as regard to assault is available against other named co-accused persons, namely, Hukum Rai, Jaikaran Rai, Navin Rai and Chandrabali Rai, where no specific allegation as to cause assault appears attributed to this petitioner. It is also submitted that a counter case of the present occurrence was also lodged by the family members of petitioner's side which was registered as Bachhwara P.S. Case No. 299 of 2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as allegation of assault is not available against this petitioner, who is a man of clean antecedent, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 19.03.2023 accordingly, petitioner above named, is directed to be released on bail in connection with Bachhwara P.S. Case No. 295/2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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