

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39313 of 2023

Arising Out of PS. Case No.-74 Year-2021 Thana- RAGHOPUR District- Vaishali

Subodh Rai Son of Late Ram Vilash Rai Resident of village-Chandpura,
Police Station-Raghopur, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Raghopur P.S. Case No. 74 of 2021 dated 11.04.2021, lodged
under Sections 341, 323, 307, 379, 504, 506/ 34 of the I.P.C.

4. As per the prosecution case, the allegation against
the petitioner is to assault the informant by *lathi* and iron rod.

5. Learned counsel for the petitioner submits that
from the contents of the F.I.R., it transpires that the informant
and petitioner are full brothers and on the negotiation relating to
the partition, the dispute started, which resulted into scuffling
between them. As a result, case and counter case has been filed
from both the sides bearing Raghopur P.S. Case No. 73 of 2021
filed by the petitioner and Raghopur P.S. Case No. 74 of 2021

filed by the present informant.

6. Learned counsel for the petitioner further submits that the case which the petitioner's side has filed against the accused side, the opponents were granted anticipatory bail from the District Judge itself, whereas the bail petition of the present petitioner was rejected. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 03.04.2023 in which charge-sheet has already been filed.

7. Learned counsel for the State opposes the prayer for bail.

8. 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 Judicial Magistrate- Ist Class, Vaishali in connection with Raghapur P.S. Case No. 74 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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