

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44749 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- RANIGANJ District- Araria

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RAJ KUMAR BISWAS Son of Late Fuleshwar Bishwas Resident of Village -
Nandkar, P.s.- Raniganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Fahimuddin,Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Raniganj P.S. Case No. 139 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

The case of the prosecution in brief is that on account of land dispute, the petitioner and other co-accused persons had entered into an



altercation with the informant and his family members on the alleged date and time of occurrence, when they had also objected to the husband of the informant ploughing the land in question resulting in the accused persons including the petitioner having assaulted the husband of the informant, namely, Budhdeo Biswas and his son. As far as the petitioner is concerned, he is stated to have assaulted the husband of the informant by a dagger causing injury on his stomach and hand which has been found to be grievous in nature.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 28.04.2022. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case and in fact members of both the sides have been injured in the alleged occurrence, nonetheless, the petitioner is ready



to abide by such condition as may be deemed fit and proper to be imposed for the purpose of grant of bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the materials available in the case diary, though this Court deems it fit and proper to release the petitioner on bail, considering his clean antecedent and the fact that injuries have not been inflicted on the vital part of the body of the husband of the informant, however, upon framing of charges in the present case by the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the court of learned ACJM, Araria in connection with Raniganj P.S. Case No.139 of 2022.



The petition stands disposed off with the
aforesaid observations and directions.

(Mohit Kumar Shah, J)

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