

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54986 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- BHELDI District- Saran

Brajesh Rai @ Brajesh Kumar Ray Son Of Parbhunath Ray Resident Of
Village - Rajupur Tola, P.S. - Bheldi, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar , Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-08-2023 Heard the learned counsel for the petitioner and the
State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Bheldi P.S. Case No. 74 of 2022, registered
for the offences punishable under Sections 147, 149, 341, 323,
354 B, 379, 504, 506 of the Indian Penal Code.

3. As per the FIR, the allegation is that all the accused
persons including the petitioner assaulted the informant with
lathi, danda and iron rod and also took away Rs. 5,000/- and a
silver bracelet, kept in a box. The specific allegation against the
petitioner is that he tore the clothes of the informant.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He also also submits that the petitioner is the agnate (Pattidar) of the informant and in the background of land dispute, the present false case has been lodged. The informant has not received any injury as no injury report of the informant is on record. He further submits that the allegation against the petitioner is concocted and superficial in nature and the allegation of tearing the cloth of the informant is added without any truth just to make the case serious.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner is also involved in one other case apart from the present one.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.



10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. C.J.M., Saran At Chapra, Saran/Successor Court, in connection with Bheldi P.S. Case No. 74 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/ramesh

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