

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55393 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- WARISNAGAR District- Samastipur

Jawahar Rai Son Of Late Bindeshwar Ray @ Late Bindeshawari Rai Resident
Of Village- Chandauli, P.S. Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-09-2023 Heard Mr. Vinay Kumar Mishra, learned counsel
appearing on behalf of the petitioner and the learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Warisnagar P.S. Case No. 194 of 2023, registered for the
offences punishable under Sections 143, 341, 323, 324, 307,
379, 354, 504 and 506 of the Indian Penal Code.

3. Allegedly, while the informant was in his house, in
the meantime, all the FIR named accused persons, including the
petitioner, came there and started abusing and assaulting the
informant and his family members. It is specifically alleged that
the petitioner 'Jawahar Rai' with an intention to kill 'Fulpari
Devi' wrapped towel in her neck due to which she suffered life
threatening suffocation and injury. Further allegation has been
levelled against co-accused 'Uma Shankar Rai' and others, who



are not before this Court.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner and informant are neighbours and because of some trifling reason, the present FIR has instituted, moreover, the allegation levelled against the petitioner of assault to 'Fulpari Devi' by wrapping towel is fully falsified for the reason that doctor has not found any injury. It is further submitted that prior to the institution of this case, one of the family member of the accused had lodged Warisnagar P.S. Case No. 167 of 2023 on 14.05.2023 and due to this reason, the name of the petitioner and other family members have been instituted. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate – 1st, Samastipur in connection with Warisnagar P.S. Case No. 194 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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