

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53854 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- SAHAJITPUR District- Saran

1. MEENA DEVI @ GYANTI DEVI Wife of Late Suresh Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
2. Ganga Rai Son of Late Thakur Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
3. Vinod Kumar @ Lutan Rai Son of Ganga Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
4. Gyanti Devi Wife of Ramayan Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
5. Renu Devi Wife of Devkumar Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
6. Wakil Rai Son of Late Lakshman Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.
7. Prabhu Nath Rai Son of Late Ramji Rai R/o Vill.- Medhuka, P.S.- Sahajitpur, Dist.- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Binode Bariar
	:	Mr. Gangadevo Yadav
For the Opposite Party/s	:	Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-02-2023 It appears from order dated 23.12.2022 that all petitioners except petitioner no.3 namely, Vinod Kumar @Lutan Rai have already been granted bail.

From perusal of the said order it appears that for considering the regular bail application of petitioner no. 3, case diary was called for and the same has been received.

Petitioner no. 3 seeks regular bail in a case registered



for the offence punishable under section 147, 148, 341, 323, 324, 337, 338, 307, 302, 504 of the Indian Penal Code.

As per prosecution case, there was some dispute between the prosecution party and accused persons and after mediation, dispute has been resolved. Later on, it is alleged that the informant's cousin was on his way when he has been accosted by 126 persons and beaten mercilessly. Thereafter, he was taken to Hospital for treatment where he succumbed to injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is a land dispute going on between the parties due to which this petitioner has falsely been made accused in the present case. There is no specific overt-act of assaulting against this petitioner rather general and omnibus allegation leveled against him. It is further submitted that there is case and counter case between the parties. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The petitioner is languishing in judicial custody since 25.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner no. 3 namely, Vinod Kumar @Lutan Rai on bail. The above named petitioner is directed to be released on bail in connection with Sahajitpur P.S. Case No. 104 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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