

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71206 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- DARIYAPUR District- Saran

NARESH RAI @ RAM NARESH RAI Son of Late Bhagwan Rai R/V- Sarai
Saho, P.S- Dariyapur, Dist- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-04-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Dariyarpur P.S. Case No. 184 of 2021 registered for the offence
under Sections 341, 323, 379, 324, 325, 307, 354, 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.09.2022.

The allegation against the petitioner is to assault
informant and others, along with other co-accused persons, by
means of sword, iron rod etc. causing injuries over nose and
other body parts, having intention to cause their death.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely implicated in present case due to dispute arises out of common path way. It is submitted that alleged assault is appearing single without having intervening circumstances and as such it can be safely gathered that same was not caused having intention to cause death of informant. It is further submitted that even the informant is not saying through her FIR that the assault was caused with intention to cause her death. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel, Mrs. Rajni Kumari, for the informant opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as alleged assault not appears to be made from version of informant with intention to cause her death, as per face of FIR coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Dariyarpur P.S. Case No. 184 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge-VIII, Saran/concerned Court,
subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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