

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67929 of 2022

Arising Out of PS. Case No.-298 Year-2022 Thana- DIGHA District- Patna

RAKESH RAY S/o Krishna Roy R/o- Ramjichak, Prem Roy Gali, P.S.-
Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranvijay Singh
For the Opposite Party/s	:	Mr.Pradeep Narain Kumar, APP
For the Informant	:	Mr. Ravindra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the parties.

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

The petitioner seeks bail in connection with Digha P.S. Case No. 298 of 2022 registered for the offence under Sections 341, 323, 325, 307, 354(A) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 30.07.2022.

The allegation against the petitioner is to assault the minor daughter of informant, aged about 15 years and also to push her in nearby well with intention to cause her death, along



with other co-accused persons/family members.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is founded over property disputes as mother-in-law of the petitioner having no son and informant is not willing to give property share to her daughters including the wife of this petitioner. It is submitted that allegation as regard to assault is appearing very much general and omnibus and is not specific against this petitioner. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP dully assisted by learned counsel appearing on behalf of informant, while opposing the prayer of bail, submitted that the petitioner actively participated in present occurrence, where, attempt was made to kill the minor daughter of the informant, by pushing her in well.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation as regard to assault, which is appearing very much general and omnibus in nature in the background of property disputes 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 Digha P.S. Case No. 298 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Patna/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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