

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75069 of 2023**

Arising Out of PS. Case No.-159 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Bachcha Rai S/O Late Jagdeo Rai R/O Village- Diwan Tok, Ps. Gangabridge,
Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. case No. 159 of 2019 instituted for the offences under Sections 148, 149, 341, 325, 307, 188, 353 of the Indian Penal Code and Section 52 of the Prisoners Act.

3. Prosecution story, in short, is that this petitioner is alleged to have assaulted the co-prisoner namely, Pankaj Kumar due to which he sustained injury in his left eye.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.04.2019. The petitioner has two criminal antecedents out of which he has been acquitted in one criminal case while he is on bail in another case. The petitioner has falsely been implicated in the present case. The nature of injury is said to be simple in nature, hence, no offence under Section 307 I.P.C. is made out.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the nature of injury as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Sadar P.S. case No. 159 of 2019 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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