

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5629 of 2023**

Arising Out of PS. Case No.-63 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

UMESH RAI Son of Mahanand Rai R/V- Chatursi, P.S- Siwaipatti, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 26-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 307, 504 and 506 of the Indian Penal Code.

Allegedly, the petitioner along with other accused persons
assaulted the informant and his uncle. Petitioner is said to have
assaulted one Mithilesh Rai, uncle of the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. Both
the parties are agnates. No such occurrence as alleged ever took
place. He has been falsely implicated in this case due to ulterior
motive. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. There is some



dispute between the parties regarding the ownership of a Shisham tree. The injury sustained by the victim is simple in nature. Similarly situated co-accused, namely, Kishori Rai and Hanslal Rai have been enlarged on bail by a co-ordinate bench of this court vide order dated 12.07.2022 passed in Cr. Misc. No. 61084 of 2021. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the similarly situated co-accused have been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Siwaipatti P.S. Case No. 63 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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