

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10342 of 2024

Arising Out of PS. Case No.-504 Year-2023 Thana- JOGAPATTI District- West Champaran

Uday Ray Son of Krit Narayan Ray Resident of Village-Bishrampur, Ps-Yogapatti, District-West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Yogapatti P.S. Case No. 504 of 2023 instituted for the

offences under Sections 341, 323, 324, 307, 379, 504 and

34 of the Indian Penal Code.

3. As per prosecution case, the allegation against

the accused persons including the petitioner is of assaulting

the Informant. It is alleged that the petitioner caught the

Informant from back and co-accused Umesh Rai hit on his

head by means of bamboo stick. When his father came to

rescue him, he was also assaulted by them. It is further

alleged that the co-accused Bittu Rai also snatched golden



chain from his neck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to enmity between the Informant and brother of the petitioner. There is a land dispute between the parties. There is no specific and direct allegation of assault against the petitioner and the injury caused to the Informant is simple in nature. He further submits that from the injury report, it is evident that Section 307 is not attracted and, thus, other sections are bailable even though the petitioner was not present at the place of occurrence. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 16.12.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also there being no direct and specific allegation of assault against the petitioner, let the petitioner,



abovenamed, 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 Yogapatti P.S. Case No. 504 of 2023.

(Rudra Prakash Mishra, J)

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