

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13287 of 2024

Arising Out of PS. Case No.-75 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Raj Kumar Ray, aged about 48 years, Male Son of Hari Kishun Ray, Resident of Village- Lat Basepura Tole Parihatta, Police Station- Musrigharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Musrigharari PS Case No. 75 of 2023 instituted for the offences punishable under Sections 341,323,325,379,504,506/34 of the Indian Penal Code and later on Section 307 of the IPC has been added.

3. As per the prosecution case, all accused persons including the petitioner assaulted the informant with *lathi danda* and *iron rod*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that the incident took place on 31.05.2023 and the FIR was lodged on 04.06.2023



after four days of the alleged occurrence and there is no plausible explanation in this regard. He further submits that all the offences as alleged against the petitioner is bailable in nature except Sections 307 and 379 of the IPC. He next submits that the father of the informant and father of petitioner are full brothers having land dispute between the parties. Petitioner is in custody since 14.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Samastipur dated 18.10.2023, it appears that petitioner has assaulted the informant with hura of lathi and there is land dispute going on between the parties, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st Class, Samastipur in connection with Musrigharari PS Case No. 75 of 2023.

(Ramesh Chand Malviya, J)

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