

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14035 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- KALYANPUR District- Samastipur

Pawan Ray Son of Late Muneshwar Ray Resident of vill Madhuban PS
Kalyanpur District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s	:	Mrs.Dr. Indihar Kumari, APP
For the informant	:	Mr. Ranjan Kumar, Advocate

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

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in Kalyanpur P.S. case
No. 303 of 2023 instituted for the offences under Sections
147, 149, 341, 323, 324, 307, 379, 427, 504 and 506 of the
Indian Penal Code.

3. Prosecution allegation, in short, is that the
accused persons, variously armed, came and started abusing
the informant. On protest, they assaulted the informant due
to which he sustained injury. The family members came in
rescue were also assaulted.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Both parties are agnates. The informant is not an eye witness to the occurrence. There is land dispute between the parties since long. Although there is allegation of assault by sword but there is no allegation of repetition. The nature of injury is said to be grievous in nature. The petitioner is in custody since 14.10.2023 and has no criminal antecedent. There is delay of one day in lodging the F.I.R.

5. Learned A.P.P. for the State and informant has vehemently opposed the prayer for grant of bail to the petitioner. They submit that specific allegation of assault is against the petitioner and nature of injury is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, 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 *after framing of charge, if not already framed*, 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 Kalyanpur P.S.
case No. 303 of 2023.

(Rudra Prakash Mishra, J)

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