

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30386 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Baasalal Rai Son Of Yogindra Rai @ Yogendra Rai @ Yogendra Yadav
Resident Of Village - Baswaria, Police Station - Chiraiya, District - East
Champaran At Motihari
2. Yogindra Rai @ Yogendra Rai @ Yogendra Yadav Son Of Gorakh Rai
Resident Of Village - Baswaria, Police Station - Chiraiya, District - East
Champaran At Motihari
3. Kundan Rai Son Of Yogindra Rai @ Yogendra Rai @ Yogendra Yadav
Resident Of Village - Baswaria, Police Station - Chiraiya, District - East
Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Vishal Prasad, Advocate

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioners and learned APP
for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with
Chiraiya P.S. Case No. 18 of 2024 instituted for the offence
under Sections 341, 323, 307, 324, 379, 504, 506/34 of the
Indian Penal Code.

3. Prosecution case in short is that petitioners have
assaulted the informant and his nephew by various means. It is
alleged that petitioner No. 2 gave *farsa* blow on the head of the



informant and petitioner No. 1 gave iron blow to the nephew of the informant.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 20-02-2024. Petitioners bear two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. It is submitted that parties are agnates and there is subsisting land dispute between the parties. It is also submitted that there is case and counter case between the parties. It is alleged that petitioner No. 1 and petitioner No. 2 gave iron blow and farsa blow to informant and informant's nephew, respectively. There is general and omnibus allegation levelled against the petitioner No. 2. There is no specific allegation attributed to the petitioner.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being subsisting land dispute between the parties, this Court is



inclined to grant bail to the petitioners.

8. Let the petitioner No. 1, namely, ***Baasalal Rai*** & petitioner No. 2, namely, ***Yogindra Rai @ Yogendra Rai @ Yogendra Yadav*** be released on bail, **after framing of charge, if not already framed**, and petitioner No. 3, namely, ***Kundan Rai*** 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 Chiraiya P.S. Case No. 18 of 2024.

(Rudra Prakash Mishra, J)

Raj kishore/-

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