

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30726 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- PIPRAHI District- Sheohar

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Ram Niwas Ray son of Siyaram Ray Resident of Village- Shankarpur Bindi,
P.S.- Piprahi, Dist.- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Piprahi
P.S. Case No. 240 of 2023 instituted for the offences under
Sections 341, 323, 324, 307, 325/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of assaulting by
means of knife, rod and lathi due to which the Informant and
one Ashutosh Kumar sustained grievous injuries on their bodies.
The specific allegation against the petitioner is of assaulting the
Informant by means of knife upon his head and neck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. There is a case and counter case. The Informant and petitioner are cousin and there is admitted land dispute between the parties. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is not specific or direct allegation against the petitioner rather the same is general and omnibus in nature. From the injury report, it appears that the injuries are simple in nature except one injury which is grievous. Both the parties have also filed compromise petitioner before the learned court below on 28.02.2024. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.02.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner is named in the F.I.R. and there is direct allegation of assault against the petitioner. The injury report also supports the prosecution case. The allegation is serious in nature and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, 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 Piprahi P.S. Case No. 240 of 2023.

(Rudra Prakash Mishra, J)

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