

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37696 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- PATAHI District- East Champaran

Bharat Rai son of Damari Rai Village- Bhitgharwa Math, Ps- Patahi Dist-
East Champaran

... .. 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. Vinod Shanker Modi, APP

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

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Patahi P.S. Case No. 11 of 2024, instituted for the offences punishable under Sections 341, 323, 324, 307, 379 and 354(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner along with other co-accused persons went to the house of the informant and started assaulting her. The petitioner gave a *kudal* blown on the head of the informant, torn her clothes and snatched her belongings.

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. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is *pattidar* of the informant and due to some land dispute with regard to partition of the joint family property the petitioner has been implicated in this case. The injury sustained by the informant is simple in nature. The petitioner is in custody since 07.02.2024 and has got no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, nature of injury sustained by the informant and taking into account 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 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patahi P.S. Case No. 11 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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