

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47255 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- DORIGANJ District- Saran

Binod Rai @ Vinod Rai S/o Late Pharindra Rai R/o vill - Kazipur, P.S. -
Doriganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Doriganj P.S. Case No. 11 of 2024 registered for the alleged offences under Section 323, 324, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

03. As per prosecution case, petitioner and co-accused persons armed with iron rod and lathi abused and assaulted the informant, his wife and his son causing injuries to them.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is land dispute between the parties and petitioner gave a petition before the learned S.D.M., Chapara on 31.10.2023 to initiate a proceeding under Section 144 of the

Code of Criminal Procedure. There is counter version to the case of the informant and petitioner has filed Doriganj P.S. Case No. 16 of 2024 against the informant side and the said case was registered on the basis of fardbeyan of petitioner. Learned counsel further submits that both sides received injuries. Learned counsel further submits that the injuries of the informant shows one lacerated wound on occipital area of the head and an abrasion on the forehead and the injuries are stated to be simple and caused by hard blunt object. The injury report shows superficial injuries and size of injury is 1.5”X1/2” skin deep. Learned counsel further submits that merely to put pressure on the petitioner not to pursue the case lodged by the petitioner against the informant and others, the present case has been lodged after delay of four days. Learned counsel further submits that petitioner is in custody since 11.05.2024 and he is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and counter case between the parties and the background of

land dispute and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of C.J.M., Saran in connection with Doriganj P.S. Case No. 11 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

anuradha/-

U		T	
---	--	---	--