

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71919 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- MADHAURAH District- Saran

Tarkeshwar Rai @ Bhuar Rai @ Rajeshwar Rai Son of Late Daroga Rai
village - Olhanpur Chakdara , Ward No 2 , P.S. - Marhowrah , District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail in connection with
Marhowrah P.S. Case No. 99 of 2024 registered under Sections
341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons, including the petitioner, assaulted the informant due to
which, he sustained injuries on different parts of his body,
including his head and chest, which are vital parts and accused
persons had also snatched a sum of Rs.2500/- from the pocket
of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
been falsely implicated in the present on frivolous ground and



the specific allegation has been made against co-accused Chandan Kumar, who had assaulted the informant with bat and iron rod, due to which, the informant sustained injuries on the head and different parts of his body. Both the parties are agnates and due to land dispute, the petitioner has been implicated in a false case. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail. Petitioner is in custody since 07.08.2024.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the nature of allegation made against the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Marhowrah P.S. Case No. 99 of 2024, subject to the following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.
- (3) If the petitioner tampers with the evidence or the



witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.

- (4) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.
- (5) The district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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