

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83032 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- CHIRAIYA District- East Champaran

Dinanath Rai @ Dinanath Ray S/o Late Ruplal Rai Resident Of Village-Samgara (Sapgarha), P.S. - Chiraiya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : **Mr. Brajendra Nath Pandey, APP**

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-12-2024 1. Heard Mr. Manoj Kumar, learned counsel for the
petitioner and Mr. Brajendra Nath Pandey, learned APP for the
State.

2. The petitioner seeks regular bail in connection with Chiraiya P.S. Case No. 252 of 2024 dated 12.06.2024 registered for the offence(s) punishable under Section 147, 148, 149, 341, 224, 225, 186, 332, 333, 353, 307 & 414 of the of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. The main submissions advanced by the learned counsel for the petitioner are that there is a simple allegation against the petitioner and as per the FIR, he and other co-accused persons being more than 20 in number resisted the police party when the petitioner's son was apprehended on the



charge of carrying illicit liquor but the petitioner has been made accused merely on account of being the father of the co-accused Lalan Rai and in the FIR, there is no specific allegation against the petitioner. It is further submitted that the petitioner has been languishing in jail since 31.08.2024. Although there are criminal antecedents of six cases against him but they relate to different nature of the offences out of them in one case, the petitioner has been acquitted and in rest of the cases, he is on bail and as per FIR, petitioner's name was disclosed by the co-villagers who gathered at the time of alleged occurrence.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions and mainly the nature of allegation appearing against the petitioner and coupled with this fact that in the FIR, there is no specific allegation against the petitioner and he has been languishing in jail since 31.08.2024 and several persons including some unknown have been made accused carrying similar nature of allegation like this petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Chiraiya P.S. Case No. 252 of 2024 on



furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)
with two sureties of the like amount each to the satisfaction of
the Court concerned.

(Shailendra Singh, J)

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