

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81828 of 2023

Arising Out of PS. Case No.-69 Year-2022 Thana- MAHINDWARA District- Sitamarhi

Chenari Rai @ Chanardip Rai @ Chandradip Rai @ Chanari Rai Son Of
Suraj Rai Resident Of Village - Sugaridih (Sugari), Police Station -
Mahidwara, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar \

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 379, 325, 448, 504, 506 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the petitioner along with co-accused persons variously armed with *Farsa*, *Kudal* came at the door of the informant and this petitioner inflicted *farsa* blow upon the nephew of the informant due to which he sustained injury.

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



falsely been implicated in this case due to previous dispute between the parties. It is also submitted that the informant is not an eye witness to the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 17.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the specific allegation of assault is against petitioner due to which nephew of the informant sustained several injuries.

6. Considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge** in connection with Mahindwara P.S. Case No. 69 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(ii) If the petitioner hampers the witnesses or tampers with evidence, his bail bonds will be canceled by the trial court.

(Sunil Kumar Panwar, J)

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