

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83501 of 2023

Arising Out of PS. Case No.-93 Year-2021 Thana- MEHSI District- East Champaran

Sunil Kumar Rai @ Sunil Kumar Raju Ray R/O Village Motnaje Barharwa
Chak Abdul Ganj, P.S.- Mehshi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354 (B), 307, 504 and 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons have assaulted the informant and her husband by means of iron rod. It is further alleged that they threatened to kidnap her daughter and kill her husband.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence as alleged. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties.



Both sides have filed cases against each other. The injury sustained by the husband of the informant is simple in nature. There is no specific overt act against the petitioner. Similarly situated co-accused persons have been enlarged on bail by this Court *vide* order dated 25.02.2023 passed in Cr. Misc. No. 68356 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Mehshi P.S. Case No. 93 of 2021, G.R. No. 2525 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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