

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3686 of 2025

Arising Out of PS. Case No.-1035 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Subodh Rai S/o Ram Sagar Ray R/o Vill.- Garha, P.S.- Ahiyapur, Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2025 Heard Mr. Chandra Shekhar Anand, learned counsel

for the petitioner and Mrs. Anita Kumari, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
19.11.2024, in connection with Ahiyapur P.S. Case No. 1035 of
2021, FIR dated 15.11.2022 registered for the offence under
Sections 147, 341, 323, 324, 307, 427, 504 and 379 of the
Indian Penal Code.

3. Earlier the petitioner has moved before this
Court for grant of anticipatory bail but the same was rejected
vide order dated 09.05.2024 passed in Cr. Misc. No. 26725 of
2024 on the ground that the injury inflicted upon the victim is
grievous in nature.

4. As per the prosecution case, all the accused
persons along with 4-5 unknown persons have assaulted to the



informant and his family members.

5. Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and he has falsely been implicated in this case. He further submits that due to admitted land dispute the present occurrence has taken place. He further submits that there is case and counter case between the parties. He further submits that as per the FIR, the allegation against the petitioner that he inflicted Farsa blow upon the informant due to which he received injury. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 19.11.2024.

6. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts that the petitioner has clean antecedent and due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate at Muzaffarpur in connection with Ahiyapur P.S. Case No. 1035 of 2022 with



the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

ajay/-

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

