

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15334 of 2025

Arising Out of PS. Case No.-518 Year-2023 Thana- MADHAURAH District- Saran

Suraj Rai @ Suraj Kumar Rai Son of Shivnath Rai Resident of village -
Marhowrah Purani Bazar Ward No.- 12, Police Station - Marhowrah, District
- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Marhowrah P.S. Case No. 518 of 2023, instituted for the
offences punishable under Sections 448, 341, 323, 324, 307,
379, 354, 504, 506 and 34 of the Indian Penal Code.

3. Earlier vide order dated 01.05.2024 passed in Cr.
Misc. No. 23577 of 2024, anticipatory bail of the petitioner was
allowed by a Co-ordinate Bench of this Court with a direction to
the Court below to verify the injury report of the informant.
Further, it appears that the Court below, after verification, has
found that the informant has sustained grievous injury,
accordingly, the bail bonds of the petitioner was not accepted.



4. The prosecution case, in short, is that, the petitioner along with other co-accused persons were doing business of country made wine, when objection was raised by the informant they abused and assaulted her. It is further alleged that the petitioner assaulted the informant on her head by means of *Dab* causing head injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is no allegation of repetition of blow against the petitioner. It is further submitted that there is case and counter case between the parties. The petitioner is in custody since 23.12.2024 and has got no criminal antecedent.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Marhowrah P.S. Case No. 518 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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