

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40001 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- DARIYAPUR District- Saran

Jitendra Rai @ G. Ki. Rai Bhola Rai @ Nand Kishore Ra R/o Village-
Konhwa, P.S.- Doriganj, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Dariyapur P.S. Case No. 224 of 2025, instituted for the offences
punishable under Sections 126(2), 115(2), 118(1), 109, 352,
351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons armed with various
weapons assaulted the informant and his brothers due to which
they sustained injuries.

4. 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 the allegation against the petitioner is general and omnibus in nature. Specific allegation of knife blow is levelled against co-accused, namely, Dharmendra Rai. It is further submitted that the petitioner and informant are co-villagers and a land dispute is going between the parties. It is alleged that the petitioner has assaulted the informant on his head by means of iron rod, but on perusal of injury report, it appears that the injury received by the informant is simple in nature. The petitioner is in custody since 25.04.2025 and has got one criminal antecedent in which he is on bail.

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

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

7. Let the petitioner be released on bail *after framing of charge, if not already framed* 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 Dariyapur P.S. Case No. 224 of 2025, 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)

Rajorshi/-

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