

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46320 of 2025

Arising Out of PS. Case No.-144 Year-2024 Thana- BARHARA District- Bhojpur

Musa Rai @ Horil Rai @ Horil Yadav @ Mus Kumar S/O Late Surendra Ray
Resident of village- Raipur Bingawan, PS- Doriganj, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Barahara @ Barhara P.S. Case No. 144 of 2024 registered for the alleged offences under Sections 342, 323, 324, 307, 506/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons went to the shop of brother of the informant and after taking tea and cigarettes started leaving the shop without making payment. When the brother of the informant demanded money for the articles consumed, two of the co-accused persons caught hold of him and the petitioner stabbed him in his abdomen.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner did not stab the brother of the informant and he has no concern with the co-accused persons. There is no eye witness to the occurrence. The injury report shows the size of injury is 1"x2"x1/2" and it appears to be superficial and nature of injury is stated to be simple, though it is stated to be a stab wound. The petitioner is having antecedent of three cases. The petitioner is in custody since 04.05.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that there is specific allegation against the petitioner that he stabbed the brother of the informant with knife.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barahara @ Barhara P.S. Case No. 144 of 2024, subject to the



conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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