

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60874 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- LAKHAURA District- East Champaran

Ramnarayan Rai Son of Jatashankar rai @ Jatashankar Ray Resident of
village -Gola Pakariya, P.S.-Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 47 of 2024 dated 10.05.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 324, 307, 354B, 379, 504 and 506 of the Indian Penal Code and subsequently Section 302 of the Indian Penal Code was added.

3. As per the prosecution case, the petitioner and the co-accused persons along with other unknown persons armed with various weapons came at the door of the informant and started abusing for not settling the case. On being objected by the informant, the petitioner ordered to assault. Thereafter, the



co-accused, Ramchandra Rai assaulted the informant on his head with iron rod with intention to kill. The informant's cousin came to rescue him, the petitioner and the co-accused persons assaulted him with iron rod causing injury. It is further alleged that the informant's bhabhi came to rescue, she was also assaulted and outraged her modesty by the accused persons. The co-accused, Mahwa Devi snatched gold chain worth Rs. 50,000/- from the neck of Rima Devi and the co-accused, Lalsa Devi snatched the gold Mangalsutra worth of Rs. 15,000/- from the neck of Kunti Devi. The co-accused, Maina Devi assaulted Suresh Ram with lathi due to which he received injury on his head and he fell down on the ground. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. It is further submitted that there is no specific allegation against the petitioner rather the specific allegation of assault is against the co-accused, Maina Devi who assaulted on the head of Suresh Rai with lathi. The petitioner



has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari in connection with Lakhaura P.S. Case No. 47 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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