

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69263 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- BARURAJ District- Muzaffarpur

Baleshwar Rai S/O Late Yogi Rai R/O Village Baruraj Pani Tanki ward no 13,
P.S. Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

3. The case of the prosecution is that one Sonu Kumar and this petitioner assaulted Jaleshwar with kudal on his head with intention to kill due to which he received bleeding injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the injury



report, it is clear that Jaleshwar has received two injuries one in left occipital region and second in right occipital region. Doctor has opined that the injuries were caused by hard and blunt substance. From perusal of the FIR it is clear that the allegation against this petitioner along with one Sonu Kumar is that they assaulted the injured with kundaal which is sharp cutting weapon. The allegation and the injury do not coorelate with each other. Though final opinion is not on record but from perusal of the injuries it is crystal clear that the injuries are also superficial in nature. Petitioner is an old man. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baruraj P.S. Case No. 89 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with learned two sureties of the like amount each to the satisfaction of Court No.5 of Judicial



Magistrate-1st class (West), Muzaffarpur.

(Ashok Kumar Pandey, J)

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