

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88485 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- ARER District- Madhubani

Umashankar Ray Son of Doma Ray Resident of Vill- Parjuar Navtoli, P.S.-
Arer, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 373 of 2024, arising out of Arer P.S. Case No. 85 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of B.N.S., 2023.

3. As per prosecution case, the petitioner is the brother-in-law of the informant and allegation against the petitioner is that of giving knife blow to the informant. When the father of the informant tried to save the informant he was also stabbed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner went to his matrimonial home for bringing



his wife back to his house and some altercation took place and the informant and his family members started assaulting the petitioner. In his defence, the petitioner used scale of steel and this fact also bears out from the injury report of the victims as same type of injuries have been observed on the informant as well as on his father. All the injuries are simple though stated to be sharp cut injury. The dimensions of the injuries show the injuries are superficial in nature as 1"x1/4"x1/4", 3"x1/4"x1/4", 2 1/2"x1/4"x1/4", 2"x1/4"x1/4", 1 1/2"x1/4"x1/4", 1 1/2"x1/4"x1/4", 1 1/2"x1/4"x1/4" and there is no depth in any of the injuries. Learned counsel further submits that though there is allegation of demand of dowry and petitioner driving out his wife, the police did not find the case true for the said allegation. The petitioner is in custody since 10.07.2024. The petitioner is having no criminal antecedent and charges have been framed against the petitioner.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury, framing of charge and period of custody of the petitioner, 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 Additional Sessions Judge – 3rd, Madhubani/concerned Court in connection with Sessions Trial No. 373 of 2024, arising out of Arer P.S. Case No. 85 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also 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 bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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