

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74738 of 2025

Arising Out of PS. Case No.-301 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Rajesh Ray @ Rajesh Yadav S/o- Wakil Ray R/v- Mathiya Bariyarpur Ps-
Piprakothi Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar, Advocate
For the Opposite Party/s :	Mr. Md. Matloob Rab, A.P.P.
For the informant :	Mr. Sumit Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard Mr. Arvind Kumar, learned counsel for the petitioner, Mr. Sumit Kumar Gupta, learned counsel for the informant and Mr. Md. Matloob Rab , learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 15.05.2025 in connection with Piprakothi P.S. Case No. 301 of 2022 for the offences punishable under Sections 147, 341, 323, 324, 307, 504 and 506 of IPC.

3. The prosecution case, in brief, is that on 05.11.2022 at about 7:00 A.M., due to a previous dispute a Panchayati was going on at the door of one Lal Babu Ray, when the accused persons allegedly came armed with knife and started abusing the informant. It is alleged that when the informant protested,



Rajesh Rai (petitioner) gave a knife blow on the chest of Akash Kumar @ Laddu Kumar, and when the informant came for rescue, co-accused Wakil Rai gave a knife blow on his left thigh. Thereafter, Kanhaiya Sah, Radheshyam Sah, and Gaya Sah were also allegedly assaulted by co-accused persons with knives.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that due to petty dispute the present occurrence took place and there is specific allegation of assault on the informant and his family members and some of injury of the injured persons are found to be grievous in nature and some injuries are found to be simple in nature. Learned counsel for the petitioner submits that there is no intention on the part of the petitioner to kill anyone although the injury inflicted upon the informant is grievous in nature and the police after investigation submitted charge-sheet against the petitioner. It is further submitted that petitioner is in custody since 15.05.2025.



5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is a direct and specific allegation of assault by the petitioner against the informant and his family members and one of the injuries is found to be grievous in nature.

6. Considering the aforesaid facts and circumstances and that petitioner is a person with clean antecedent and also considering the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-12, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 301 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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