

**IN THE HIGH COURT OF JUDICATURE AT
PATNA**

Criminal Miscellaneous No.21048 of 2015

Arising Out of PS.Case No. -59 Year- 2013 Thana -PRATAPGANJ District- SUPAUL

Niraj Kumar S/o Buchan Thakur R/o Govindpur, P.S. Pratapganj, District
Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. M.Dayal(App)

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER**

2 10-07-2015 Heard learned counsel for the petitioner and Mr. Pandey
learned APP for the State.

The petitioner along with seven others are named in the FIR registered initially under section 307 (later 302 IPC was added). It is alleged that enraged by ouster of the students from the tuition centre, the parents arrived at the house of the informant. They indiscriminately assaulted the informant and others. Specific allegation is against Bittu Thakur who gave Farsa blow on the head of the informant's uncle who subsequently died. Further allegation is that Devendra Thakur and Moti Jha assaulted the father of the informant causing simple injury.

The contention of the petitioner is that there is general

and omnibus allegation of assault by Lathi against all the accused persons including those granted bail. Specific allegation of assault by means of Farsa is attributed to Bittu Thakur. The petitioner is in custody since 09.12.2014 having no criminal antecedent.

Considering the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction SDJM, Birpur (Supaul) in connection with Pratapganj P.S. Case No. 59 of 2013 on condition that one of the bailors shall be own/close family member of the petitioner. As soon as the charges are framed, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

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