

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46729 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Sujeet Kumar @ Sujit Kr. @ Tuddu, Son of Madhusudan Prasad, resident
of Village & P.O. Pataura, Lala Tola, P.S. Motihari Mufassil District East
Champaran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Shankar Kumar, Advocate.

For the State : Mr. Arun Kumar Singh-5(APP)

For the Informant : Mr. Rakesh Ranjan, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 22-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in connection with Motihari
Muffasil P.S. Case No.55 of 2014/G.R. No.759 of 2014 registered
under Sections 302, 307, 341, 323, 324 and 120-B of the Indian
Penal Code.

The accusation is that Madhusudan Prasad alongwith
his sons, namely, Sujeet Kumar alias Sujit Kr. alias Tuddu
(petitioner) and Ranjeet Kumar alias Guddu, reached at the door of
the informant Vishwanath Pathak armed with lathi, Fatta and iron

rod and started to assault to the informant and his son Aniket Raj. In that course, while Madhusudan Prasad caused injury to the informant through Fatta but the petitioner and his brother Ranjeet Kumar alias Guddu assaulted Aniket Raj, the son of the informant through iron rod, who became unconscious and fell down on the ground after sustaining injury and died in course of treatment in the hospital.

Learned counsel appearing on behalf of the petitioner submits that while there is general allegation against the petitioner and two others to cause injury to the informant and his son but there is specific allegation against the petitioner and Ranjeet Kumar alias Guddu to cause assault brutally to Aniket Raj through iron rod, due to which he became unconscious and fell down and later on, in course of treatment died in the hospital but only one injury was found on the head of the deceased. Further submission is that in this case, chargesheet has already been submitted. It is further submitted that besides one case, as detailed in paragraph-3 of the application, in which the petitioner is on bail, there is no criminal antecedent against the petitioner, who is in jail custody since 21.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on

bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Muffasil P.S. Case No.55 of 2014/G.R. No.759 of 2014.

(Rajendra Kumar Mishra, J)

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