

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57877 of 2018

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1. Kundan Kumar, Son of Late Satya Narayan Prasad Malakar,
2. Siddharth Raj, S/o Kundan Kumar, Both resident of Mohalla- Purvi Lohanipur, Kashi Nath Lane, House No. 12, Satya Annapoorna Kunj, P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-09-2018

Heard the parties.

This application is for grant of regular bail in connection with Kadamkua P.S.Case nO.352 of 2018for the offences under Sections 147, 148, 149, 341, 323, 354 and 307 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that there was dispute with respect to construction of boundary wall of the petitioner and other accused persons assaulted by rod , bat and another arms to the informant on head and other places and specific allegation against the petitioner no.1 is of assault by bat on head and petitioner no.2 is named in the FIR.

Submission of the learned counsel for the petitioners is that so far allegation is concerned the allegation is against one Mamta Devi that she assaulted by rod on head and on the eye and



thereafter there is allegation against the petitioner no.1 of assault on head by bat and so far petitioner no.2 is concerned, no specific Allegan has been attributed against them. They are in custody for about three months.

Heard learned A.P.P. and the learned counsel for the informant. They have drawn my attention towards para no.2 of the impugned order that shows that serious injuries are on the eye as well as on the head. .

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioner no.2 (Siddharth Raj) be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Patna in connection with Kadamkuan P.S.Case NO.352 of 2018.

So far petitioner no.1 (Kundan Kumar) is concerned, I am not inclined to grant bail to the petitioner at this stage, however, once the charge is framed in this case and the trial is commenced, the learned trial court shall release the petitioner no.1 to his own satisfaction.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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