

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27580 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- GAYA KOTWALI District- Gaya

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Bhola Kumar @ Bhola Yadav, aged about 26 years, male, S/o Kedar Yadav,
Residence of Village- Bangla Asthan, Maharani Road, P.S.- Kotwali, District-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 17-08-2019 The petitioner seeks bail in connection with

Sessions Trial No. 159 of 2019 arising out of Gaya Kotwali

P.S. Case No. 95 of 2018, dated 20.02.2018, instituted for

the offences under Sections 147, 148, 149, 341, 323, 307

and 302 of the Indian Penal Code.

The wife of the deceased has alleged that while she

and her husband (deceased) had come out of the house to

go to some place for procuring papers/documents, the



petitioner and several others caught hold of them and assaulted the deceased. After preliminary treatment, the deceased was brought to hospital where because of the assault perpetrated upon him, he died.

It has been submitted on behalf of the petitioner that except for his being named in the F.I.R., no specific accusation has been levelled against him and the allegation of assault is general and omnibus against all the accused persons.

The occurrence also is said to have taken place because of a very petty dispute for opening of a window in the house of one of the parties.

The petitioner does not have any criminal antecedents and is in custody since 31.10.2018.

Under similar circumstances, other accused persons have been granted bail by different Benches of this Court *vide* orders dated 07.03.2019 and 24.04.2019 passed in Cr. Misc. Nos. 13461 of 2019 and 13522 of 2019 respectively.

Regard being had to the aforesaid facts, *viz.*, general and omnibus allegation against the petitioner and the



period of custody, the petitioner/Bhola Kumar @ Bhola Yadav is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Gaya in connection with Sessions Trial No. 159 of 2019 arising out of Gaya Kotwali P.S. Case No. 95 of 2018.

(Ashutosh Kumar, J)

Praveen-II/-

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