

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57650 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- MADHUBAN District- East Champaran

DILIP KUMAR, aged about 27 years (M), Son of Late Basdeo Bhagat @
Basudev Prasad, Resident of Village - Bhawarua, P.S.- Madhuban, District-
East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mrs.Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 147, 148, 149, 341, 323, 307 and 324
of the IPC.

The prosecution story, in brief, is that while Sant Lal
Paswan, a guard of Sri Maheshwar Prasad Narayan Singh, the
owner of Madhuban Estate, alongwith his owner and others
were going on a vehicle with his family members to
Muzaffarpur and when the vehicle reached near Mela Bazar
Inspector Chowk, he saw a procession coming from Mela Bazar.
Sri Maheshwar Prasad Narayan Singh instructed his driver to
stop the vehicle by the side of the road. The driver parked the



vehicle by the side of the road. Ajay Kumar was leading the mob and the members of the mob were armed with *lathi*, *phattha* and other sharp weapons who damaged the vehicle and on protest, Dilip Kumar (petitioner), co-accused Raj Kumar and others dragged the driver and brutally assaulted him. The driver, Nunu Kumar Singh @ Dipak Singh, was brought to P.H.C. Madhuban, from where he was referred to S.K.M.C.H., Muzaffarpur.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 30.07.2019. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. Injury does not indicate whether the nature of injury is simple or grievous. It cannot be ascertained whether an offence under Section 307 of the IPC is made out or not.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Chief Judicial Magistrate, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 163 of 2018.

(Sudhir Singh, J)

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