

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61848 of 2019

Arising Out of PS. Case No.-488 Year-2019 Thana- NAWADA District- Nawada

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Sunil Kumar Son of Mahendra Chaudhary Resident of Village- Makhdumpur,
Police Station- Mahkar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2

For the Opposite Party/s : Mr. Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 01.05.2019
in a case registered for the offences punishable under Sections
147, 148, 149, 341, 323, 325, 302 and 379 of the IPC.

The prosecution case is that on 29.04.2019 at about 10.00
P.M., the brother of the informant, namely, Vikash Kumar went
to house of Dipak Kumar to take dinner, but he did not return.
On the next day, the police came to the house of the informant
and suggested him that his brother has been assaulted by a mob
treating him as a thief. Thereafter, the informant went to the



police station, where his brother suggested that 20-25 accused persons assaulted him, but he could identify only the petitioner and co-accused Laddu Kumar. Subsequently the brother of the informant succumbed to the injury during course of treatment.

It is submitted by learned counsel for the petitioner that the general and omnibus accusation of assault has been levelled against a mob. It is further submitted that for the theft being committed in the house of the petitioner, the petitioner lodged Nawada Town P.S. Case No. 485 of 2019 against the victim, and as a retaliatory measure, the petitioner has been roped in the present case. Moreover, the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the victim named two accused persons including the petitioner.

Considering the general and omnibus accusation against a mob, case lodged by the petitioner against the victim at earlier point of time, period under custody and the investigation already being concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned CJM, Nawada in connection with Nawada (Town) P.S. Case No. 488 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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