

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71707 of 2019

Arising Out of PS. Case No.-142 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

NIRMAL PRASAD, aged about 65 years (Male), Son of Late Munilal Prasad,
Resident of Village - Alipur, P.S.- Arrah Muffasil, District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Singh, Advocate.
For the Opposite Party : Mr.Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2019 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, 341, 323, 324, 326 and 302
of the IPC.

The prosecution story, in brief, is that on the alleged
date of occurrence while the brother of the informant had gone
to the house of his elder brother, namely, Tripurari Prasad, in the
meantime, his *Patidars* entered into his house and in order to
kill, assaulted the brother of the informant by Farsa, Sambal and
Danda causing grievous injury and when his sister-in-law came
for rescue, accused persons also assaulted her due to which, her
head got cut and when the informant went to save them he was
also assaulted and on hulla, persons of the locality came and



took the brother of the informant to Sadar Hospital and thereafter he was referred to P.M.C.H. where he died on 07.07.2019 where the sister-in-law of the informant has sustained serious injury and is under treatment in Sadar Hospital, Ara. Hence, the present case.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 12.06.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Altogether six persons are said to have assaulted the deceased. There is single injury found on the head of the deceased. The deceased died after two months in course of treatment. The death is due to secondary haemorrhage and not because of primary haemorrhage. No single injury is attributed against the petitioner.

On behalf of the State and the informant, 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 C.J.M.
Bhojpur at Ara, in connection with Arrah Muffasil P.S. Case No.
142 of 2019.

(Sudhir Singh, J)

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