

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76238 of 2019

Arising Out of PS. Case No.-351 Year-2019 Thana- RUPASPUR District- Patna

RAHUL KUMAR @ MANTU Son of Jitendra Chaudhary @ Jitendra Kumar
Resident of Village- Saveri Nagar, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Singh
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-11-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Rupaspur PS case no. 351 of 2019 instituted for the offences punishable under Sections 307 and other sections of Indian Penal Code.

The case of the prosecution according to the informant is that upon getting information, he along with the police party had gone at the place of occurrence, where he saw that 200-300 persons, including male and female members, armed with lathi-danda, bricks, stones and sword were brutally assaulting three persons. On seeing the police force, mob became violent and started pelting stones on them, however, with the help of police force, three injured persons, who were



being assaulted, were rescued from the mob. Thereafter, grievously injured persons namely Chandan Kumar, Subhash Singh and one unknown persons were sent for treatment to the Hospital. The police had then arrested 32 persons including the petitioner and rest of the accused persons had fled away. During the course of treatment, one of the aforesaid unknown person had died.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 04.08.2019, having no criminal antecedent. It is stated that the petitioner has been falsely implicated in the present case, charge sheet has already been submitted in the present case and there is no allegation of tampering with the witnesses. Lastly, it is submitted that there is general and omnibus allegation, levelled against the petitioner and there is no allegation of any sort of specific overt act as against the petitioner. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 23.10.2019 passed in Cr. Misc. no. 59125 of 2019.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten



thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IIInd, Danapur in connection with Rupaspur PS case no. 351 of 2019.

(Mohit Kumar Shah, J)

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