

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1705 of 2020

Arising Out of PS. Case No.-138 Year-2019 Thana- THARTHARI District- Nalanda

INDUBHUSHAN KUMAR Son of Late Ram Sharan Prasad Resident of
Village - Kariawan, P.S.- Tharthari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Tharthari P.S. Case No. 138/2019 registered under Sections 341, 323, 307, 448, 354, 379, 504/34 of the Indian Penal Code and later on Section 302 I.P.C. was added.

Learned counsel for the petitioner submits that the allegation of assaulting the informant by iron rod is against the co-accused Rajnish Kumar and so far as this petitioner is concerned, though he has been named among the four accused persons in the first information report but there are general and omnibus allegation against others.



Learned counsel submits that the co-accused Sachin Kumar @ Dukhran has been granted regular bail by learned coordinate Bench of this court in Cr. Misc. No. 84649/2019 and the petitioner in custody since 23.11.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the thrust of the allegation of assaulting the informant by iron rod is against the co-accused Rajnish Kumar and so far as this petitioner is concerned, though he has been named among the four accused persons in the first information report but there are general and omnibus allegation against others and further submission that co-accused Sachin Kumar @ Dukhran has been granted regular bail by learned coordinate Bench of this court in Cr. Misc. No. 84649/2019 and that the petitioner has remain in custody since 23.11.2019 having no criminal antecedent, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only)



with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Hilsa, in connection with Tharthari P.S. Case No. 138/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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