

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11791 of 2020

Arising Out of PS. Case No.-231 Year-2019 Thana- KHIJARSARAI District- Gaya

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SANJAY KUMAR @ SANJAY YADAV S/o Rajendra Yadav @ Rajendra
Prasad Resident of Village- Surju Bigha, P.S.- Khizersarai, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 308, 341, 323, 325 and 34 of the Indian Penal Code in which section 302 IPC was added later on.

The prosecution case in short is that the accused persons indiscriminately assaulted the informant due to which he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.1.2020. There is no allegation of tampering of witnesses alleged against the petitioner. The alleged occurrence is said to be of 3.8.2019 but the case was instituted on 10.08.2019 though in the F.I.R., the date of F.I.R. has been incorrectly stated as 3.3.2019. Nine persons are alleged



to have assaulted by means of lathi and garasa. The post-mortem report only indicates two external injury on the body of the deceased. General and omnibus allegation has been made against the petitioner. No allegation of giving fatal injury upon the deceased by the petitioner.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned A.C.J.M. IV, Gaya in connection with Khizersarai P.S. Case No. 231/2019.

(Sudhir Singh, J)

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