

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21945 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- TETERHAT District- Lakhisarai

RAHUL KUMAR Son of Mahendra Singh Resident of Village- Mahisona,
P.S.- Tetarhat, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bikram Deo Singh, Advocate
For the Informant	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-10-2020 Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The petitioner is in custody since 15.11.2019 in connection with Sessions Trial No. 40 of 2020, arising out of Tetarhat P.S. Case No. 115 of 2019 for the alleged offences under Sections 341, 323, 307, 379, 504/34 and subsequently added Section 302 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged murder of the brother of the informant namely, Umesh Singh. There is considerable delay in lodging the FIR on 10.09.2019 for the alleged occurrence on 30.08.2019. It is submitted that the allegation is only of assault with fists and slaps by the petitioner and co-accused Ghoghi



Singh, the latter having been granted bail by this Court in Cr. Misc. No. 15344 of 2020 (Annexure-2). It is submitted that no specific injury is attributed to the petitioner, who claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 15.11.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Lakhisarai in connection with Sessions Trial No. 40 of 2020, arising out of Tetarhat P.S. Case No. 115 of 2019, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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