

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74019 of 2019

Arising Out of PS. Case No.-225 Year-2018 Thana- SARAIYA District- Muzaffarpur

ADITYA KUMAR @ ANIKET KUMAR @ ANKIT KUMAR, aged about 23
years, Male, Son of Badri Thakur, Resident of Village - Kuiya, P.S.- Saraiya
(Jaitpur O.P.), Distt – Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajiv Ranjan, Adv.

For the Opposite Party : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with S. Tr. No.
345 of 2019 (Saraiya (Jaitpur O.P.) P.S. Case No. 225 of 2018),
registered under Sections 341, 323, 314, 316, 302, 504, 506 and
34 of the Indian Penal Code.

The accusation is that in the morning of 02.06.2018,
Badri Thakur, Vibha Devi, Puja Kumari, and Aditya Kumar
(petitioner) came at the door of the informant, Vijay Thakur, and
started to abuse. At that time, they started to cause assault to
Golu Kumar, labourer, engaged by the informant for doing the
work at furniture shop in which Golu Kumar sustained blood
oozing injury. Seeing the cause of assault to Golu Kumar,
informant, Vijay Thakur, and his wife, Seema Devi, rushed there
to save Golu Kumar, then, they also cause assault to them
through lathi. At that time, Badri Thakur gave the lathi blow at



the belly of Seema Devi, who was pregnant, and due to sustaining injury she became unconscious and rushed to Primary Health Center, Saraiya, from where she was referred to higher center, but, she died in the way.

Submission is that it would appear from the first information report that specific allegation is against Badri Thakur to cause injury by the lathi at the belly of Seema Devi. There is general and omnibus allegation against the petitioner and rest three accused to cause assault to Golu Kumar and informant, Vijay Thakur. Further, submission is that while on investigation the police submitted the charge sheet, but, it would appear from the case diary, which is up-to paragraph 94 that there is no description about injury of the informant and his labourer, Golu Kumar. The petitioner is in custody since 07.08.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 345 of 2019 (Saraiya (Jaitpur O.P.) P.S. Case No. 225 of 2018) to the satisfaction of the Additional Sessions Judge, XII, Muzaffarpur.

(Rajendra Kumar Mishra, J)

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