

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77946 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- AGIAON District- Bhojpur

SUNIL DOM Son of Pipal Dom, Resident of Village - Khan Bahadur Road,
Jehanabad, P.S.- Jehanabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-03-2020 Heard both sides.

Petitioner seeks bail in Agiaon P.S. Case No.138 of
2018 registered under Sections 302 and 34 of the IPC.

The informant (son of the deceased) named the
petitioner along with other accused persons and alleged that
they all assaulted his father on his hand and leg and his father
died on the spot.

Learned counsel for the petitioner submits that the
petitioner is the son-in-law of Halchal Dom. Halchal Dom is
also accused in this case and he is one of the sons of the
deceased. Ajay Kumar (informant) is another son of the
deceased and on account of land dispute, Halchal Dom and his
relatives and others have been made accused in the case.
Mahendra Dom (brother-in-law of Halchal Dom) has already



been enlarged on bail by a coordinate Bench of this Court vide order dated 27.09.2019 passed in Cr.Misc.No.45662 of 2019. It is submitted that the case of the petitioner is similar to the case of Mahendra Dom.

Learned APP, however, opposed the prayer for bail and submitted that all the accused persons indiscriminately assaulted Lalan Ram and consequently Lalan Ram died.

From perusal of the postmortem report, it appears that the spleen was found ruptured. Ribs were found fractured and on account of cumulative effect of the injuries found on the body of Lalan Ram, Lalan Ram succumbed to the injuries but did not dispute the facts that similarly situated co-accused Mahendra Dom has already been granted regular bail by a coordinate Bench of this Court. It further appears that the petitioner is own son-in-law of Halchal Dom. Halchal Dom is own brother of the informant. Halchal Dom and others including the petitioner are alleged to have assaulted Lalan Ram (father of Halchal Dom) and Lalan Ram died. Similarly situated co-accused Mahendra Dom has already been granted regular bail.

Having considered the facts aforesaid, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of



like amount each to the satisfaction of learned A.C.J.M. III,
Bhojpur at Ara in connection with Agiaon P.S. Case No.138 of
2018 corresponding to G.R. No.5601 of 2018.

(Prabhat Kumar Jha, J)

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