

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79365 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- KAJRA District- Lakhisarai

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Mukesh Kumar @ Mukesh Manjhi Son of Bisheshwar Manjhi Resident of
Village - Manjhiyama, P.S.- Kajra, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-03-2020 The petitioner, who is in custody since 14.10.2019, seeks bail in connection with Kajra P.S. Case No. 34 of 2019 dated 22.04.2019 instituted for the offences under Sections 302 and 34 of the Indian Penal Code.

From the perusal of the FIR, it has been argued, it would appear that an occurrence took place on 09.04.2019, when because of a statement made by the deceased, the accused persons including the petitioner were made accused as they were alleged to have assaulted the deceased. The petitioner is said to have assaulted the deceased on his head by means of an iron pipe which led to injuries on his person. The deceased was taken to hospital where he died during the course of treatment after two days on 11.04.2019. The present



case is stated to have been lodged on 22.04.2019.

The learned counsel for the petitioner has shown to this Court that shortly after the death of the deceased in PMCH, a case was lodged by the same informant on 12.04.2019 alleging that his father had died because of fall from the stairs. The aforesaid statement has been recorded in paragraph-20 of the case diary and which statement has been signed on 12.04.2019 by the informant and counter signed by one Rajesh Manjhi.

Considering these aspects of the matter *viz.* the assigning of the cause of death to a fall from the staircase shortly after the death of the deceased, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Kajra P.S. Case No. 34 of 2019.

(Ashutosh Kumar, J)

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