

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17468 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. SANJAY KUMAR @ DABLU @ SANJAY GUPTA SON OF MAHESHWAR SAH R/O VILLAGE- MAHMADPUR, P.S.- MOHIUDDIN NAGAR, DISTRICT- SAMASTIPUR (BIHAR).
 2. RAJU KUMAR @ DIMPAL SON OF MAHESHWAR SAH R/O VILLAGE- MAHMADPUR, P.S.- MOHIUDDIN NAGAR, DISTRICT- SAMASTIPUR (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Sachchidanand Choudhary, Advocate
For the Opposite Party/s : Mr. Dilip Kumar no. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per allegations in the FIR, the seven named accused persons including the petitioners herein are stated to have assaulted the informant and the member of his family as a result of which the father-in-law of the informant subsequently succumbed to his injuries and her husband is being treated.

It is submitted by learned senior counsel appearing for the petitioners that the allegations are general and omnibus in nature. The petitioners have been falsely implicated in the



case. The material that has transpired in course of investigation including the postmortem report do not support the allegations levelled in the FIR, the petitioners are in custody since 9.9.2020 and have no criminal antecedent. Investigation in the case has concluded. The case of the petitioners stands on a similar footing to that of co-accused Deonandan Prasad who has been enlarged on bail vide order dated 23.3.2021 passed in Cr. Misc. no. 37987 of 2020.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners having remained in custody for more than 11 months and grant of bail to the co-accused Deonandan Prasad, the Court directs the petitioners to be enlarged on bail in connection with Mohiuddin Nagar P.S. Case no. 62 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur.

(Partha Sarthy, J)

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