

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18662 of 2021

Arising Out of PS. Case No.-123 Year-2019 Thana- CHANDAUTI District- Gaya

CHUN MUN @ MUNNA KUMAR @ CHUN MUN KUMAR S/O SRI
ROHIT YADAV R/o village- English, P.S.- Chandauti, District- Gaya
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Advocate
For the Opposite Party/s : APP
for the Informant :

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, while the informant was going it is stated that the two accused persons including the petitioner herein along with ten others asked them to stop. Thereafter, they abused them and Naresh Yadav and Chun Mun Kumar (the petitioner herein) assaulted them with a lathi as a result of which Ajit Kumar sustained injuries on the head and died in course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegation of assault by the two named and ten other accused



persons are falsified from the postmortem report wherein only two injuries have been found on the body of the deceased and only one is stated to have been caused on head, the other being on elbow, shoulder and arm. The petitioner is in custody since 14.9.2020 and investigation in the case has concluded.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner is named in the FIR. There is direct allegation against him of having assaulted the deceased and the application for bail of a similarly situated co-accused Naresh Yadav has been rejected vide order dated 29.6.2020 passed in Cr. Misc. no. 14837 of 2020.

In reply it is submitted by learned counsel for the petitioner that the aforesaid Naresh Yadav, vide order dated 4.3.2021 was granted liberty to renew his prayer for bail after six months.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the FIR together with the submissions made on behalf of the parties, the Court is not inclined to enlarge the petitioner on bail for the present and the application is reject.



Liberty is granted to the petitioner to renew his prayer
for bail after six months.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

