

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20271 of 2021

Arising Out of PS. Case No.-345 Year-2019 Thana- CHOUTARWA District- West
Champaran

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RAJAN KUMAR Son of Pramod Prasad Resident of Village - Lagunaha,
P.S.- Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Chautarwa P.S. Case No.

345 of 2019, registered for the offence punishable under

Sections 302/34 of the Indian Penal Code.

As per the prosecution case, all the FIR named

accused persons including this petitioner assaulted the husband

of informant with *Axe* and *Tangi* on his head, neck and temple,

as a result of which he died during course of treatment.

It is submitted on behalf of the petitioner that there is



general and omnibus allegation against the petitioner and no specific overt act has been alleged against this petitioner. Moreover, similarly situated co-accused have been granted bail by this Court vide order dated 28.05.2020 passed in Cr. Misc. No. 4644 of 2020. Petitioner is in custody since 11.11.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is one of the assailants and informant in her re-statement has categorically stated that it was this petitioner who along with two others assaulted the deceased with *Axe* and *Tangi*, causing his death.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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