

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20111 of 2021**

Arising Out of PS. Case No.-46 Year-2020 Thana- NOKHA District- Rohtas

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Jitendra Mali @ Jitendra Kumar, Son of Vijay Mali, Resident of Village
Baraon, P.S. Nokha, District Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rameshwar Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Sanjeev Kumar Mishra, Advocate
		Mr. Piyush Saurav, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State as well as learned

counsel appearing on behalf of the informant.

The petitioner seeks bail in Nokha P.S. Case No.46 of
2020, registered for the offences punishable under Sections 147,
148, 149, 341, 323, 307 and 302 of the Indian Penal Code as
well as under Section 27 of the Arms Act.

The allegation against the petitioner is that he along
with other FIR named accused persons assaulted Kameshwar
Mali, the father of the informant with *Kudal* (a sharp edged
tool).

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. It is submitted that there is allegation against the petitioner that he assaulted the deceased with Kudal, but according to the post-mortem report, the death was caused due to coma as a result of head injury. It is also submitted that specific allegation of assault by iron rod on the head of the deceased is against Bhagwan Mali. The petitioner is in custody since 16.09.2020 and the petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned Additional Public Prosecutor for the State and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner.

Having considered the facts and circumstances of the case, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Nokha P.S. Case No.46 of 2020.

(Anjani Kumar Sharan, J.)

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