

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22870 of 2021

Arising Out of PS. Case No.-578 Year-2020 Thana- DEHRI TOWN District- Rohtas

Birbal Kumar @ Vishal Kumar, Son of Ramanand Singh, Resident of Village-
Chaknwa (Budhan Bigha), Police Station- Dehri Town, (Indrapuri), District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv.

For the State : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-11-2021 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Dehri
Town (Indrapuri) P.S. Case No.578 of 2020, registered for the
offence punishable under Sections 341, 323, 302, 307, 448 and
506/34 of the Indian Penal Code.

As per the prosecution case, it is stated that over a
fight between the son of the informant and Uday Kumar in
course of playing, it is stated that Uday Kumar went back home
and called the members of his family. On the orders of the
petitioner, all the accused persons assaulted the informant and
the members of his family leading to the death of his mother.



Learned counsel for the petitioner submits that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. The allegations are not supported from the contents of the postmortem report wherein only one injury has been found the body of the deceased. Learned counsel for the petitioner further submits that similarly situated one co-accused Lal Muni Singh has already been released on bail vide order dated 23.09.2021 passed in Cr. Misc. No.20626 of 2021. Learned counsel for the petitioner submits that there is no specific allegation of assault against the petitioner. Petitioner has no criminal antecedent and he is languishing in jail custody since 07.11.2020.

Learned counsel appearing on behalf of the State opposes the prayer of the petitioner for bail.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Dehri-on-Sone, District-Rohtas in connection with Dehri Town (Indrapuri) P.S. Case No.578 of 2020, subject to the following



conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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