

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31110 of 2021**

Arising Out of PS. Case No.-255 Year-2020 Thana- JAYNAGAR District- Madhubani

RAJ KUMAR DAS Son of Late Anand Das Resident of Village - Balua Tola,
P.S. - Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 10-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, it is stated that over a dispute the six named accused persons including the petitioner herein came armed with iron rod, khanti etc and brutally assaulted the father of the informant. On the informant coming to his father's rescue he was also assaulted. It is further stated that his father was taken to the hospital where he died in course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. It is submitted that



the postmortem report does not support the allegations levelled in the FIR in so far as against the allegation of brutal assault with iron rod, khanti etc by six accused persons, the postmortem report reflects only one stitched wound. The petitioner is in custody since 18.12.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the submissions made on behalf of the petitioner together with the petitioner having remained in custody for more than 11 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Jaynagar P.S Case no. 255 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Madhubani.

(Partha Sarthy, J)

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