

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38300 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- DHANARUA District- Patna

Mukesh Kumar @ Guddu son of Late Radhika Singh Resident of Village-Damrichak, P.S. Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 341/323/307/427/504 /506 / 120B/34 of the Indian Penal Code in connection with Dhanarua P.S. Case No. 127 of 2020. Later on offence under Section 302 of the Indian Penal Code was added.

According to FIR, the petitioner along with his wife and son allegedly assaulted to the father of the informant. Specific allegation against the petitioner is that he sat on the chest of the father of the informant and assaulted with brick. The wife and son of the petitioner also committed assault with brick etc.

Learned counsel for the petitioner submits that the



petitioner is in custody since 11.04.2020. From the act alleged intention to commit murder cannot be gathered. The petitioner has stated on oath that he has got no criminal antecedent.

Learned counsel for the informant opposed the prayer for bail. He contends that the doctor has found fracture of two ribs and blood clot at the chest cavity as well as in the scalp.

As prosecution allegation is corroborated by medical evidence, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The petitioner may renew the prayer for bail after framing of the charges, before the Court-below itself.

(Birendra Kumar, J)

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