

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39791 of 2020**

Arising Out of PS. Case No.-266 Year-2020 Thana- TEKARI District- Gaya

ANUJ KUMAR @ AMBUJ KUMAR S/O AJAY PRASAD, RESIDENT OF
VILLAGE - LAO, P.S. - TEKARI, DISTRICT – GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Pd. Singh, Sr. Adv.
	:	Mr.Rakesh Singh, Adv.
For the Opposite Party/s	:	Md.Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 10-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 147, 148, 149, 323 of the Indian Penal Code.

Prosecution case in brief is that on 11.06.2020 accused persons were making illegal construction on which the informant raised objection. Whereupon, all the FIR named accused persons being armed lathi-danda and rod, started assaulting indiscriminately due to which his sister Saroj Devi sustained injury and died on the way to hospital.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the FIR named accused persons and there is no overt act against the



petitioner. There is specific allegation against co-accused Nagendra Kumar. Postmortem report shows that the cause of death is head injury, which is done by hard and blunt substance. The petitioner is languishing in judicial custody since 12.06.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Tekari P.S. Case No. 266/2020 to the satisfaction of learned court below where the case is pending.

(Anjani Kumar Sharan, J)

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