

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.130 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- BELAGANJ District- Gaya

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UMESH KUMAR @ MUKESH PASWAN S/o Ravindra Kumar @ Gadha
Paswan @ Ramundra Paswan Resident of Village- Panari, P.S.- Belaganj,
Distt- Gaya, (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Murad Ashraf, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 31.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 203 of 2020, registered under Sections 147, 149, 341, 323, 307 and 302 of the Indian Penal Code, pending in the court of the learned A.C.J.M-XI, Gaya.

The accusation is that in the evening of 05.07.2020 informant Tuntun Yadav along with his son Sanjay Kumar and Panil Kumar were returning to house, boarding on motorcycle.



In the way, informant stopped the motorcycle and started drinking water from hand-pump situated behind the Panari High School, where boys of Panari village, who were returning to their homes after playing cricket, came there and started to abuse and caused assault through bat. The informant, on receiving injuries, moved from there to his village and, again, reached there along with his villagers then saw Vikash Kumar is causing assault to his son Sanjay Kumar, whereas, Amarnath, Raushan Kumar, Umesh Kumar (Petitioner), Joytish Kumar, Ujjawal Kumar, Basukinath Paswan, Jayant Kumar, Rishu Kumar and Abhisekh Kumar were surrounded his son and they were also indulged in causing assault through fist and slaps. On seeing the informant and his villagers, they fled away from there and son of informant rushed to hospital, but, he died in the evening of 06.07.2020.

Learned counsel appearing on behalf of petitioner submits that petitioner is innocent and he has falsely been implicated in this case due to dirty village politics.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The



petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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