

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3998 of 2021

Arising Out of PS. Case No.-420 Year-2020 Thana- AMARPUR District- Banka

1. RAJU KUMAR @ RAJU KUMAR MANDAL, S/o Kamleshwari Mandal @ Kurcha Mandal R/o village- Gangapur Gadhel, P.S.- Amarpur, District- Banka
2. MITHUN KUMAR, S/o Kamleshwari Mandal @ Kurcha Mandal R/o village- Gangapur Gadhel, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-03-2021 Heard Mr. Ajay Mukherjee, learned Counsel for the petitioners and Mr. A. L. Pandit, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Amarpur Police Station Case No. 420 of 2020, disclosing offences under Sections 147, 148, 149, 341, 323, 302, 307, 504, 506 of the Indian Penal Code.

The allegation, as per the First Information Report is that petitioners along with other accused persons assaulted the father of the informant by fist and slap. It has further been alleged that another co-accused, Saurabh Kumar, assaulted the father of the informant by means of axe on his head, due to



which he died.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and referring to the FIR, he submits that even from perusal of the same, it would be evident that petitioners are not the main assailant and the father of the informant was assaulted by another co-accused, Saurabh Kumar, which led to his death. Learned counsel further submits that petitioners are in custody since 20.07.2020 and altogether 14 accused persons have been made accused in this case.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that allegation against the petitioners are that they assaulted the father of the informant by fist and slap only and they are in custody since 20.07.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Raju Kumar @ Raju Kumar Mandal and petitioner No.2, Mithun Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/Successor Court, Banka, in connection with Amarpur Police Station Case



No. 420 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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