

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5675 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Dhiraj Kumar Singh, Son of Nand Kishore Singh, Resident of Village-
Udwant Nagar, P.S.- Udwant Nagar in the District of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-04-2021 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 304/34 of
the Indian Penal Code.

As per F.I.R. the petitioner along with co-accused
Nand Kishore Singh and Nirmal Kuamr Singh went to the
informant's house and started abusing them on account of a
dispute that had taken place earlier that day. Co-accused Nand
Kishore Singh is alleged to have instigated his sons that is the
petitioner and co-accused Nirmal Kumar Singh to hit the
prosecution side. In the meantime, informant's mother Manju
Devi came to his rescue then petitioner pushed her towards the
wall, holding her by her hair. The victim Manju Devi after



hitting the was fell unconscious. She was taken to hospital where she succumbed to injuries.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. The mother of the informant namely Manju Devi was suffering from Heart disease and Blood Pressure. All of a sudden in the evening of 25.07.2020 she faced Brain Hemorrhage thereafter she was brought at Sadar Hospital, Ara for treatment but she died. As per postmortem report no external injuries was found on the body of the deceased and also the doctor has not ascertained the reason of cause of death rather the doctor found blood clotting in the temporal region. Petitioner is in custody since 26.07.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwant Nagar P.S. Case No. 268 of 2020, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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