

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6663 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- KHUDAGANJ District- Nalanda

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NARESH RAJAK S/o Late Ganga Rajak R/o Village- Maidikala, P.S.-
Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Khudaganj P.S. Case no. 97 of 2020 registered under sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated that when his son did not return from the agricultural field at night, his son's wife and the informant's elder brother went out in search. He was not found. The daughter-in-law of the informant sustained an electric shock. All of them returned at night. It is stated that the next morning at 11 am, the dead body of his son was discovered in the field. The informant is fully convinced that the four named accused persons including the petitioner herein have beaten his son to death and also electrocuted him.

It is submitted by learned counsel for the petitioner that



from perusal of the F.I.R. itself, informant is not an eye witness to the occurrence. He raises a suspicion against the accused persons including the petitioner herein. It is submitted that the suspicion raised by the informant is falsified from perusal of the postmortem report wherein the doctor was of the opinion that the cause of death was due to neurocardiogenic shock due to electrocution. No other external injury was found. The petitioner has no criminal antecedent and is in custody since 15.10.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the contents of the postmortem report, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Khudaganj P.S. Case no. 97 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda.

(Partha Sarthy, J)

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