

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7507 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- KONCH District- Gaya

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GAUTAM KUMAR SON OF NAGESHWAR YADAV RESIDENT OF
VILLAGE- ITWAN, P.S- KONCH, DIST- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vinod Kumar
For the Opposite Party/s :	Mr.Dilip Kumar No. 1
	Mr.Ranjit Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the F.I.R., on 29.03.2021 at 10.30 AM, while the informant was sitting at his door, all the accused persons including this petitioner, armed with lathi, Garasa, bricks, stones, came and started assaulting him and his family members, due to which, they sustained injury and cousin of informant died during course of treatment.

It is submitted on behalf of petitioner that as per F.I.R., the petitioner is not the assailant of deceased. Petitioner is alleged to have assaulted other persons and the doctor has found



the injury to be simple in nature. Similarly situated co-accused has already been granted bail by this Court, vide order dated 18.07.2022 passed in Cr.Misc. No. 67737 of 2021. Petitioner has got clean antecedent.

Learned counsel for the informant opposed the prayer for bail and submitted that petitioner is also named in the F.I.R. and he has also actively participated in the occurrence, in which, one person succumbed to his injuries.

However, considering the fact that petitioner is not the assailant of the deceased and he has got clean antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya in connection with Konch P.S. Case No. 124 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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