

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31787 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- CHANDI District- Bhojpur

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RITESH KUMAR @ GOLU Son of Satyendra Sah @ Satyendra Kumar Sah
Resident of Village - Chandi, P.S. Chandi, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in a case registered for the

offence punishable under Section 302/34 of the Indian Penal Code.

As per prosecution story deceased the son of the

informant, who drove a tempo, was going to Kulhariya station by his

tempo and on the way an electric rickshaw coming from station side

in which five passengers were seated collided with the tempo of the

deceased and thereafter said persons including the petitioner became

angry and started assaulting informant's son due to which victim

became injured and died due to head injury.

The main submissions advanced by Sri Bachan Jee ojha

the learned counsel appearing for the petitioner are that petitioner is

teen aged boy and the prosecution story mentioned in the FIR is



totally false and in fact, an event of accident took place between deceased's tempo and electric rickshaw and in that accident deceased received injury and consequently died. Further submission is that on the body of the deceased only two hematomas were found and except this no external injury over the body was found by the doctor concerned who conducted post mortem examination, Against petitioner there is no specific allegation.

Sri Navin Kumar Pandey, learned APP appearing for the State has opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the submissions and mainly taking into account the genesis of the occurrence which is stated to be an accident which led to the commission of alleged occurrence of assault and also considering petitioner's young age and his clean antecedent and there is general and omnibus allegation against him, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate V, Bhojpur, Ara in Chandi P.S Case No. 92 of 2022.

(Shailendra Singh, J)

s.hassan/-

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