

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32756 of 2022

Arising Out of PS. Case No.-608 Year-2020 Thana- BRAHMPUR District- Buxar

Sukar Prasad Son of Dilip Prasad Resident of Village - Nonia Pura, P.S.-
Krishna Bramha, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Brahmpur (Krishna Bramha) P.S. Case No.608 of 2020
registered for the offences under Sections 147, 148, 149, 341,
325, 302 and 504 of the Indian Penal Code.

As per the allegation, the wall of the accused person
got damaged while backing the pickup van, in that course
accused persons along with the petitioner came and attacked
Munna Prasad (deceased) with iron rod as a result of which he
died on the spot.



The main submissions advanced by the learned counsel Mr. Ajit Kumar for the petitioner are that there is no specific allegation against the petitioner and both the parties indulged in a free fight and the petitioner also sustained injury in person for which Brahmpur P.S. Case No. 610 of 2022 has been lodged by the petitioner party. Further submissions are that the petitioner has been languishing in jail since 07.06.2021 having clean antecedent and some of the co-accused persons have been granted regular and anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No.17069 of 2021, Cr. Misc. No.5763 of 2022 and Cr. Misc. No.19008 of 2021.

Learned APP Ms. Dr. Indihar Kumari appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. In the FIR there is no specific allegation against him and similarly situated some of the co-accused persons have been granted regular and anticipatory bail vide orders passed in above-mentioned Cr. Misc. cases and as per the statement made at Paragraph No.6 there is a case and a counter case in between both the parties. Considering these facts and mainly taking into account that similarly situated co-accused persons are on bail and against the petitioner there is no specific allegation, in the opinion of this



Court a lenient approach can be taken in respect of the petitioner's prayer, 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 concerned Court in connection with Brahmpur (Krishna Bramha) P.S. Case No.608 of 2020.

(Shailendra Singh, J.)

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