

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.43561 of 2021**

Arising Out of PS. Case No.-20 Year-2021 Thana- KASIMBAZAR District- Munger

BITTU KUMAR SON OF LATE BUNDI MANDAL R/O MOHALLA-  
MAKSUSPUR, P.S- KASIM BAZAR, DIST- MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Ranjan

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3      07-03-2022                      Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in registered for the offences punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, this petitioner and other accused persons pulled out mother of the informant from her house and brutally assaulted her causing her death on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to enmity. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioner and co-accused Kapildeo Mandal has confessed that he committed murder of the deceased. FIR has been lodged after delay of 24 hours and there



is no explanation of delay. Informant is not the eye witness of the occurrence. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 26.2.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that the petitioner and other accused persons brutally assaulted the victim causing her death and the doctor has found as many as five injuries on the body of the deceased.

Considering the nature of accusation and materials available on the records against the petitioner, his prayer for bail is refused.

**(Prabhat Kumar Singh, J)**

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