

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36616 of 2022

Arising Out of PS. Case No.-3 Year-2021 Thana- SURYAGARHA District- Lakhisarai

Bittu Kumar @ Bitu Kumar Son Of Kapil Paswan @ Surendra Paswan R/O-
Vill-Manuchak Bind Toli, P.S.- Suryagadha, Dist.- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shaukat Alam, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/506 and other ancillary sections of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, on account of playing cricket, scuffle took place between the informant's son and accused persons including the petitioner in which the petitioner hurled iron rod blow on the head of informant's son. Injuries sustained by the injured have been found to be simple in nature. Petitioner has got no criminal antecedent. It is further submitted that there is delay of six days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. Similarly situated co-accused have already



been allowed bail by a co-ordinate bench of this Court vide paragraph 12 of the bail petition.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above 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 the Chief Judicial Magistrate, Lakhisarai in Suryagarha Police Station Case No. 03/2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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