

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48921 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- PATNA CITY CHOWK District- Patna

AAKASH KUMAR @ GHAPALU S/o LATE KUNDAN PRASAD R/o
MOHALLA-DOMKHANA, MANGAL TALAB, P.S-CHOWK, DISTRICT-
PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate
For the Informant	:	Mr. Manoj Kumar Singh, APP
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 201 and 120B of the Indian Penal Code.

As per the prosecution case, the accused persons, assaulted the son of the petitioner leading to his death. The specific allegation of assault is against accused Sunny Dom @ Raja Mallick.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He was not named in the FIR. The name of the petitioner transpired in course of investigation in the further statement of the informant wherein also no specific role was alleged. Subsequently, the witness Sonu has stated about the petitioner



being involved in the offence. The petitioner is in custody since 31.3.2021 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that one of the injured witnesses namely Sonu Kumar in paragraph no. 2 of the case diary has made specific allegation against this petitioner of being involved in the assault leading to the death of the son of the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the detailed allegation/description in the FIR wherein the petitioner has not been named, the petitioner not having any criminal antecedent and having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Chowk P.S. Case no. 102 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Patnacity, Patna.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

