

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49818 of 2021**

Arising Out of PS. Case No.-46 Year-2021 Thana- MEHANDIGANJ District- Patna

1. Vikash Kumar Son Of Jawahar Paswan R/O Village- Mehandiganj Railway Gumti, P.S.- Mehandiganj, District- Patna
2. Ritesh Kumar @ Dhela Paswan Son Of Jawahar Paswan R/O Village- Mehandiganj Railway Gumti, P.S.- Mehandiganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Shantanu Kumar

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

3      11-03-2022                      Heard both parties.

The petitioners seek bail in Mehandiganj P.S. Case No. 46 of 2021, registered for the offence punishable under Sections 307, 302 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, petitioners along with four FIR named accused persons abused and assaulted the brother-in-law of informant with bricks, stones and rod, on account of which he died. It is further alleged that when the informant and family members tried to rescue him all of them were assaulted by the accused persons.

It is submitted on behalf of the petitioners that from



bare perusal of FIR, it is apparent that informant is not eye-witness of the occurrence. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against petitioners. The doctor who conducted the postmortem of the deceased found four injuries whereas, there is allegation of assault against six named accused persons. Petitioners are in custody since 13.04.2021 having clean antecedent. Investigation is complete.

However, counsel for informant opposed the prayer for bail and submitted that petitioners along with others brutally assaulted the deceased.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Patna City, Patna in connection with Mehandiganj P.S. Case No. 46 of 2021.

**(Prabhat Kumar Singh, J)**

vinita/-

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