

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56311 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- FESHAR District- Aurangabad

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VIJAY KUMAR S/o Chandradeo Ram Resident of Village- Dewaria Kala,
Tola, Tatvirganj, P.S.- Feshar, District- Aurangabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner, the State
and the informant.

Petitioner apprehends arrest in registered for the
offences punishable under Section 302 and other allied sections
of the Indian Penal Code.

As per the prosecution case, petitioner is one of the
assailants of the deceased.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. There is
general and omnibus allegation of assault against all the accused
persons and no specific overt act has been alleged against the
petitioner. It is stated in paragraph 3 of the bail petition that the
petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for



bail submitting that the petitioner and other accused persons assaulted the father of the informant with lathi, rod etc causing his death which fact is corroborated by the post mortem report.

Considering the nature of allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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